

1 March 1833.



(Ireland.)

A

B I L L

To amend the Laws relating to Grand Juries in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WH^{EREAS} an Act was passed in the Fifty-ninth year of
his Majesty King GEORGE the Third, intituled, “ An Act
to amend the Laws for making, repairing and improving the Roads
and other Public Works in Ireland by Grand Jury Presentments,
and for a more effectual investigation of such Presentments; and for
further securing a true, full and faithful Account of all Monies levied
under the same;” whereby it was enacted, that from and after the
passing thereof, no Affidavit should be necessary to empower any
Grand Jury in Ireland to make any Presentment for the making or
repairing or improving any Road or Footpath, or, for the several
other purposes therein recited, the provisions of any Act or Acts
theretofore in force in Ireland prescribing such Affidavit, to the
contrary notwithstanding; and instead of such Affidavit, it was by the
said Act of the Fifty-ninth year of the reign of his said Majesty King
GEORGE the Third, enacted, that certain Applications made in certain
forms in a Schedule to the said last recited Act annexed, accompanied
with such Estimates, Specifications, Maps, Plans, Sections or Eleva-
tions as by the said Schedule required, should, after having been
previously taken into consideration by the Magistrates assembled in
Special Sessions, in manner by the said Act directed, be the only auth-
ority for empowering any Grand Jury to make Presentments for the
said purposes; and divers provisions were by the said Act made
for the appointment of the times and places for holding such Spe-
cial Sessions, and for regulating the qualifications of the Magistrates
presiding

Preamble
59 Geo. 3.
c. 34.

presiding thereat, and for regulating the proceedings thereat and consequent thereon: AND whereas it has not been found that the said provisions for the consideration of Presentments are adequate to secure the needful investigation of the disbursement of the Public Monies, and the due and economical performance of the Works to be carried into execution by virtue of Grand Jury Presentments, pursuant to the several Acts now in force in Ireland: AND whereas it has been found that Grand Juries impannelled as heretofore, on the first day of the Assizes, in each County, County of a City or Town, have not sufficient time to deliberate upon and examine into the several Presentments laid before them, nor to transact the other functions of the Grand Inquest, and it is expedient to enlarge such time;

1.
59 Geo. 3.
c. 84. repealed,
with certain
exceptions.

BE it therefore Enacted, by The KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the commencement of this Act, the said recited Act of the Fifty-ninth year of His Majesty King GEORGE the Third shall and the same is hereby Repealed, (save and except so far as the said recited Act repeals any other Act or Acts; and also save and except the provisions made therein with respect to Affidavits for Presentments in the County of Dublin, or County of the City thereof, and the preparation and printing of Schedules thereof, and duty of Inspectors in relation thereto; and also save and except the provisions made therein with respect to the Town and Liberties of Kinsale; and also save and except as is hereinafter saved and excepted with respect to Presentments and Contracts made before the passing of this Act, and the duties and powers of Supervisors and their deputies, and the executors of such supervisors, and Overseers of roads, bridges and other works presented or made, or begun and entered upon before the passing of this Act; and also save and except as the provisions of the said Act now regulate and appoint, the qualification of Magistrates entitled to vote at elections of Treasurers of Counties in Ireland, under and by virtue of an Act made in the Fourth year of his late Majesty King GEORGE the Fourth, intituled, "An Act to make more effectual Regulations for the Elections, and to secure the performance of the Duties of County Treasurers in Ireland," referring to and adopting such provisions.)

4 Geo. 4.
c. 33.

2.
Justices to
hold a Special
Sessions for
purposes of
this Act.

And be it Enacted, That from and after the passing of this Act it shall and may be lawful to and for every Justice of the Peace in and for any county in Ireland to attend, and all such Justices are hereby required to assemble from time to time, and to hold a Special Sessions for the purposes of this Act, in such place and places, and at

at such time and times, within any and every such County or place for which they shall be such Justices, as the Grand Jury of the same shall have appointed pursuant to the provisions hereinafter following.

And be it Enacted, That it shall be lawful for the several Grand Juries in every county in Ireland, and they are hereby required, at each Assizes to appoint by Presentment certain places within their respective counties (not being more than one in each barony or half barony) where, and certain times when, Special Sessions shall be successively holden previous to the next Assizes for such counties respectively, for the purposes of this Act, as hereinafter set forth; and such Presentment shall appoint the first Meeting of such Special Sessions to be holden at the County Court-house, and direct all Applications for Works, the expense whereof it may be by such applications proposed to levy off the county at large, or off the barony, or division or subdivision in which such County Court-house may be situate, to be made thereat; and all Applications for Works, the expense whereof it may be proposed as aforesaid to levy off any division or subdivision of the county, to be made at such subsequent Meeting of Special Sessions as shall be holden in and for the same division or subdivision; and such Presentment shall appoint and define such divisions and subdivisions accordingly; and it shall also be lawful for the Grand Jury at every such Assizes to direct, by Presentment, what number of Copies of the Schedules of Applications to be made at such Sessions shall be printed.

3.
Grand Juries to fix Times and Places for Special Sessions.

And be it Enacted, That the Grand Jury for any County of a City or County of a Town, or City and County, shall appoint one such Special Sessions to be holden in the same for the purposes aforesaid, and that all Applications to be levied off such County of a City or Town, or City and County, shall be made thereat.

4.
Only one such Session to be appointed in Counties of Cities and Towns.

And be it Enacted, That every such Grand Jury as aforesaid shall at each Assizes fix and determine the number of Persons paying Grand Jury Cess, in each such division or subdivision, to be defined as aforesaid, proper, with reference to the extent and circumstances thereof, to be associated with the Justices at the Special Sessions to be holden therein for the purposes of this Act, and shall make out a List of double the same number of persons, with their additions and abode, who, not being Justices of the Peace, shall have paid the highest amount of Grand Jury Cess under the last previous applotment thereof, in each such division or subdivision respectively, and the Secretary of the Grand Jury shall deliver or cause to be delivered to each of the persons included in such List, a Copy thereof, and shall also deliver a Copy thereof to the Justices assembled at each Special Sessions to be held under the provisions of this Act.

5.
Grand Jury to determine Number of Rate Payers to be associated with Justices at Special Sessions.

6.
The like in
Cities and
Towns.

And be it Enacted, That the Grand Jury of each County of a City or Town, or County and City, shall in like manner determine the number of Cess Payers proper to be associated with the Justices at the Special Sessions to be holden therein, and prepare a List of double the same number, not being Justices, of persons having paid the greatest amount of Grand Jury Cess as aforesaid, and that such List shall be delivered and dealt with in all respects as Lists prepared in any County at large.

7.
Magistrates
to choose a
Chairman, and
then to select
by lot the
number of
Cess Payers
to be associ-
ated with
them.

And be it Enacted, That at every Meeting of such Special Sessions the majority of the Justices present thereat shall choose one of their number to preside thereat; and such Chairman shall have a casting voice in case of an equality of voices, but shall not vote except in case of such equality; and immediately after the appointment of such Chairman, and before entering upon any other business, the name of every person included in the List of Cess Payers, prepared in manner before appointed for each division or subdivision in which such Sessions shall be held, or in the case of any county of a city or town, or county and city, prepared for the same, written upon separate pieces of parchment or card as nearly as may be of equal size, with his respective additions and abode, shall be put into a box, to be, as well as the said pieces of card or parchment, for that purpose provided by the Secretary of the Grand Jury, and the Chairman appointed to preside at each such Sessions shall in open Court draw out, one after another, such number of the said cards or pieces of parchment as the said Grand Jury may have fixed and determined to be the proper number of Cess Payers to be associated with the said Justices at each such Sessions respectively; and if any of the men whose names shall be so drawn, shall not appear, then such and so many more of such cards or pieces shall be drawn as may be necessary, until the number of Cess Payers appointed as aforesaid to be associated with the Justices, shall be completed; and such number of the said Cess Payers so first drawn and appearing, or such lesser number of them as shall appear when drawn, shall be associated with the said Justices, and have and exercise jointly with such Justices all such power and authority in the business of such Special Sessions, as by this Act conferred upon any Meeting of such Special Sessions: Provided always, That the Cess Payers associated in manner aforesaid with the Justices at the Special Sessions holden in the County Court-house, shall have no voice, power or authority in respect of any Applications the expense whereof it may be proposed to levy off the county at large, but only in respect of those Applications the expense whereof it may be proposed to levy off the barony, division or subdivision, wherein such Court-house may be situate; and every Justice and Cess Payer associated with such Justices in manner aforesaid, shall, previously

previously to acting at any such Sessions as aforesaid, take and subscribe in open Court the Oath hereinafter following, which Oath any one of such Justices is hereby authorized and required to administer; (that is to say)

5 " I, A. B. of [here insert the name and addition, and place of abode, of the Justice or Cess Payer taking such Oath] do swear, That I will truly, faithfully and impartially do and perform all such acts, matters and things as I am
10 authorized to do and perform by and under the provisions of an Act passed in the *Third* year of the reign of His Majesty King WILLIAM the Fourth, intituled, [here set out the Title of this Act] and that I will, without favour, affection, hatred or malice or ill will, diligently inquire
15 into and impartially and indifferently judge and determine according to the evidence and to the best of my judgment and ability, upon the several Applications and other matters which may be brought before me under the authority of the said Act.

Magistrates
and Cess
Payers to take
an Oath.

" So help me GOD."

20 And the Chairman at each such Special Sessions shall and is hereby required to make out and deliver to the Secretary of the Grand Jury of the same county, a List of the Names of all the Justices and Cess Payers who shall have taken and subscribed such Oath at the Sessions where he had presided; and every such Secretary shall from time to time, without unreasonable delay, deliver
25 the said List, and all the Oaths so made and subscribed, to the acting Clerk of the Peace, to be by him preserved among the records of the same county.

30 AND for the purpose of enabling the Grand Jury to prepare such List; BE it further Enacted, That every High Constable, or other Collector of Money levied by Grand Jury Presentment, shall make a Return, on the day when the Grand Jury shall be first impanelled at each Assizes, to the Treasurer of the county, containing
35 a Schedule of the Names of the Townlands within the barony for which he is Collector, and of the Inhabitants within the same who shall have been assessed towards the payment of the County Cess of the previous Assizes, and of the Sums respectively assessed on and paid by each individual, and stating the arrears, if any, which shall be due by each individual; and that on the receipt of such Return by the Treasurer, the said Treasurer shall immediately lay the same before the Grand Jury.

8.
High Con-
stables and
Collectors to
make Returns
to be laid
before Grand
Jury.

9.
59 Geo. 3.
c. 84. s. 5.
Church-
wardens to
appoint a
Place for
posting Notices.

And be it Enacted, That it shall and may be lawful for the Churchwardens of every parish and they are hereby required to appoint a place for posting the Notices required by this Act; and such Appointment shall be promulgated by advertisements fixed on or immediately adjacent to the doors of every place of public worship within the said parish; and in case any *Five* persons paying Grand Jury Cess within such parish shall be dissatisfied with such Appointment, it shall and may be lawful for such persons to require the Minister and Churchwardens of such parish to convene a Vestry for the purpose of taking such Appointment into consideration, and such Vestry may either approve of such Appointment, or fix some other place for such purpose, as they shall think fit; and it shall and may be lawful for such Churchwardens to expend any sum, not exceeding *Five Pounds*, for the purpose of preparing and fitting up the place so appointed, which sum shall and may be raised and levied for the reimbursement of such Churchwardens by vote of any Vestry, in like manner as any other Parochial Rate or Cess which such Vestry may have authority to raise and levy.

10.
58 Geo. 3.
c. 84. s. 7.
Notices of
Applications
to Special
Sessions.

And be it Enacted, That a Notice in writing of every Application intended to be made at any such Special Sessions as aforesaid, shall be posted, by or on behalf of the person or persons intending to make such Application, at the places appointed in manner aforesaid, within such parish wherein the Work to which such Application shall relate is proposed to be executed, between the hours of
and in the forenoon, on the Saturday next but one previous to the first day appointed for holding such Special Sessions.

11.
Applications
for Present-
ments for
Bridges, Gul-
lets, lowering
Hills, filling
up Hollows,
shall be made
at the Divi-
sional Special
Sessions, and
if not exceed-
ing *£. 10*
amount, may
be raised off
the Highway or
Half Bury.

And be it Enacted, That all Applications for the purposes herein- after mentioned shall, any thing hereinbefore contained to the contrary notwithstanding, be made at the Special Sessions holden for the division or subdivision in which the Works included in such Applications may be locally situate; (that is to say) All Applications for lowering any Hill or filling up any Hollow, or both, on any Post or other Road leading directly from one market town to another market town, or from any market town to the sea, and for making the Road thereon with stones and gravel; or for building, rebuilding, repairing, altering or enlarging any Bridge, Pipe, Arch or Gullet built of stones or bricks or wood, under or on any road, or filling or gravelling over any such Bridge, Arch, Pipe or Gullet; or in building or repairing any Wall or part of a Wall necessary to the support of any Road, or to prevent any steep banks of earth from falling upon any Road; or in erecting any Fence, Railing or Wall for the protection of travellers from dangerous precipices or holes lying on the side of any public Road; any Act or Acts directing such sum or sums

sums of Money for the purposes aforesaid to be raised off the county at large, to the contrary hereof notwithstanding; and provided further, that in case the amount of the sum or sums of Money required for any such purposes as aforesaid shall not exceed

it shall, from and after the passing of this Act, be lawful for the Grand Jury to present the same to be raised off any Barony or Half Barony in which the same may be locally situate.

And be it Enacted, That it shall and may be lawful for the Justices and Cess Payers at any Special Sessions held under this Act, to direct the County Surveyor to prepare an Estimate of the expense of keeping in repair for one year any Road or public Work in respect whereof no subsisting contract shall have been made by the Grand Jury of the same county; and every such Estimate shall be taken into consideration by the Justices and Cess Payers at the same Special Sessions, or any subsequent Special Sessions, and if approved thereat, the same shall be inserted in the Schedules of Applications to be prepared in manner afore directed; and such Estimate, so approved, shall be deemed and taken to be for all the purposes of this Act an Application for the purpose aforesaid, and dealt with accordingly; and it shall be lawful for the Grand Jury to present the Sum in such Estimate specified to be raised off the barony or other division of the county in which the Special Sessions by which the same may have been approved shall have been held; and all such and the like proceedings as by this Act directed to be taken for the execution of public Works by contract, shall be had in respect of the purpose of such Estimate so presented, and subject to the like regulations in respect of traverse, and to the obtaining payment and all other matters whatsoever.

And be it Enacted, That the Applications for any Works which it is proposed to charge upon *Taxo* or more subdivisions of any County, but not upon the County at large, shall and may be made at the Special Sessions holden for the division or subdivision off which it is proposed that the larger portion of the expense of such Work is to be raised, without making the same at the Special Sessions for each of such divisions or subdivisions.

And be it Enacted, That every such Application, together with the Estimates, Specifications, Maps, Plans, Sections and Elevations severally annexed to the same, shall be lodged with the Secretary of the Grand Jury *Ten* Days at least before the day appointed for the holding of the Special Sessions whereat such Application is to be made; and such Secretary is hereby required to keep an office open for the purpose of receiving such Applications, during *Fifteen* Days immediately preceding the last day upon which such Applications

12.
Estimates of
needed Repairs
of Roads to be
made by
Surveyors,
and to be
dealt with as
Applications.

13.
Applications
for Works to
be made at
Special Ses-
sions.

14.
29 Geo. 3.
c. 24. s. 8.
Applications
to be lodged
with the
Secretary.

Secretary to
arrange and
number them.

are required to be lodged with the Secretary; and such Secretary shall, on the receipt of each Application, indorse or cause to be indorsed thereupon the time when the same is lodged, and number and arrange all such Applications, as the Works therein comprised may be proposed to be defrayed by the county at large, or by any barony or other portion thereof, and shall make an Abstract thereof, and an Index thereto, referring to the Numbers which he shall mark on each Application; and such Secretary shall at every such Sessions produce and deliver all the Applications and Estimates and other papers relating thereto respectively which shall have been lodged with him or delivered at his office as aforesaid, respecting the execution of any Work which it may be proposed to defray at the expense of the county, or division or subdivision thereof, defined as aforesaid, for the consideration of the Applications for Works chargeable upon which such Sessions shall be held, together with the Abstract thereof and the Index thereto.

15-
Manner in
which all Ap-
plications are
to be made.

And be it Enacted, That from and after the *passing of this Act* no Affidavit shall be necessary (save as by this Act otherwise provided) to enable any Grand Jury to make any Presentment for any Public Work, and that Applications made and approved in the manner hereinafter mentioned, shall have the like force and effect as such Affidavits to empower any Grand Jury to make Presentments for the purpose therein respectively specified, any Act or Acts to the contrary hereof notwithstanding: Provided always, That such Applications shall be for such Public Works or other matters as it now is, upon such Affidavits, or may hereafter become, lawful or competent for any Grand Jury to make Presentment; and that each such Application be made in manner hereinafter appointed; (that is to say) Such Application shall be made by Two persons paying Grand Jury Cess, and shall set out the title of the Act authorizing such Presentment, with the year of the King's reign, chapter and section, as printed by His Majesty's Printer, and shall specify whether the Money proposed to be raised thereunder is to be levied off the County at large, or some and what division or subdivision thereof, and shall be printed (the blanks alone being filled up in writing,) and stamped with such stamp as may be by any Act or Acts in force in Ireland required to be imposed upon any Affidavit or Affirmation, according to the amount of the money therein proposed to be raised or contained, and shall be made in some one of the Forms marked (A.) (B.) (C.) (D.) and so forth in the Schedule to this Act annexed, when any of such Forms may be found fitting and suitable, and shall be signed by the Two Persons making such application, with their own proper hands, and accompanied by such Estimates, Specifications, Maps, Plans, Sections or Elevations, as by law now are or may be by this Act required: Provided always, That in any Application for a Presentment

a Presentment for gravelling or repairing with small stones any Road, or part thereof, the quantity of the materials which it is proposed to make use of in such repairs shall be set forth in such Application, and the quantity of such materials expended in such repairs shall be likewise set forth in the Accounts which each Contractor is required to keep and render under the provisions hereinbefore contained; and it shall not be lawful, save as hereinafter provided, for the Secretary to the Grand Jury to receive any Application which shall not be made in manner and form herein appointed.

10 And be it Enacted, That His Majesty's Commissioners of Stamps in Ireland shall and they are hereby required to furnish their Distributors of Stamps throughout Ireland, in due time, with such printed Forms of Applications, pursuant to this Act.

16.
To be furnished by Commissioners of Stamps.

15 Provided, and be it Enacted, That where any person desirous of lodging any such Application shall make an affidavit before a Justice of the Peace for the same county, setting forth that such person had made application for a printed Form of such Application at the office of the Distributors of Stamps within such county, *Three Days* previous to the last day appointed for lodging such Application, previous to the Special Sessions at which the same ought to be made, and that he was not then and there able to procure a printed Form upon a proper Stamp, then and in such case it shall and may be lawful for such Secretary to receive such Application in writing, together with such affidavit, so as the same be free from erasure or interlineation, and duly stamped, and in terms conformable to the proper Form in the Schedules to this Act annexed; and such written Application shall be alike valid and effectual to all intents and purposes as if the same had been printed.

17.
Forms to be incorporated. Form can be proved.

20 And be it Enacted, That at the Special Sessions to be holden as hereinbefore provided, the Justices and Cess Payers associated with such Justices in the business of such Special Sessions (*Three* of such Justices at least being always present) shall and they are hereby authorized and required to take into consideration all such Applications as may be made and laid before them by the Secretary of the Grand Jury in manner aforesaid, and to examine into the posting or serving of the Notices of all such Applications, and the lodging of all Estimates, Maps, Plans, Sections, Elevations and other papers by this Act required, and for that purpose to examine upon oath every person making or signing any Application, or any Estimate, Specification, Map, Plan, Section or Elevation in respect thereto, and every other person whom such Justices shall think it proper or requisite to examine; and it shall be lawful for any person paying county cess, to examine (with the approbation of the Court) any

18.
50 G. 3. c. 84.
s. 5.
Applications to be examined and approved or rejected at Sessions.

such persons; and the said Justices and Cess Payers shall, after such examination, decide by majority of voices upon every such Application, and whether the same ought to be approved or disapproved, and whether wholly or in part; and the Chairman shall indorse the same accordingly, distinguishing, if need be, the parts approved or disapproved respectively, and sign his name thereto; and if such Justices and Cess Payers shall approve of any proposed Work, but disapprove of the Estimate, they shall cause the amount of the Estimate proper in their judgment for such Work to be indorsed on the Application therefor, and such Chairman shall deliver all such Applications, whether approved or disapproved, with the several Estimates and all other papers relating thereto, to the Secretary of the Grand Jury, to be by him laid before such Grand Jury at the next Assizes.

19.

59 G. 3. c. 84.
s. 13.
In case of
death of Ap-
plicants,
another Per-
son may be
examined.

Provided, and be it Enacted, That in case satisfactory proof be given upon oath that any person who shall have signed any Application, Estimate, Specification, Plan or Map or Section, in pursuance of this Act, has since died, or is prevented by sickness or any unavoidable necessity from appearing at such Sessions, it shall be lawful for the Justices and Cess Payers thereat to examine upon oath any other person or persons who shall have knowledge of the matter, and to decide upon such Application; any thing herein contained to the contrary notwithstanding.

20.

59 G. 3. c. 84.
s. 14.
Schedules of
Applications
to be prepared
by the Secretary,
and delivered
to Grand Jury.

And be it Enacted, That so soon as may be possible after the Special Sessions shall have been holden at all the places and times appointed therefor in each county, the Secretary of the Grand Jury shall prepare and make Schedules of the contents of all Applications approved of wholly or in part, and which may have been delivered to him by the Chairman at each Sessions, including in one Schedule all such Applications for Works proposed to be charged and raised on the county at large, and in other separate Schedules (videlicet, one for each barony or half barony) all such Applications for Works proposed to be levied upon each barony and half barony, numbering all such Applications respectively by indorsement and on the face of each Schedule in arithmetical progression, with a corresponding number, beginning with number one, and noting on the face of each Schedule the particulars of the Opinion of the Justices on each Application; and such Secretary shall forthwith cause copies of such Schedules to be printed and distributed in such manner as shall have been authorized and directed by Grand Jury Presentment at the Assizes immediately preceding; and the said Secretary shall deliver a copy of such Schedules to each High Sheriff of the county for the time being, and to each County Surveyor, and shall on the day when the Grand Jury shall be next impanelled,

as hereinafter directed, deliver one copy of the said printed Schedules, together with the several Applications, Estimates, Plans and other papers and matters annexed to each Application, to the Foreman of such Grand Jury, and shall also deliver another copy of the said Schedules to the Judge of Assize upon his arrival; and the said Secretary shall keep another copy of the said Schedule in his office, for the inspection of the public, during *Three* complete Days at least immediately before the day when such Grand Jury shall be first impanelled as hereinafter provided.

And be it Enacted, That so soon as the Secretary of the Grand Jury of each county shall have made such Schedules, and totted up the amount of the Sums required by the several Applications to be raised at such Assizes on the county at large, the Treasurer of such county shall apportion the same according to the usual mode of assessment on the respective baronies or half baronies; which Apportionment, together with a copy of the Presentments made at the preceding Assizes, he shall return to the Foreman of the Grand Jury, at the time when they shall be first impanelled as hereinafter provided.

And be it Enacted, That every Sheriff shall immediately on receiving the Precept appointing the day for opening the Commission at the next Assizes in his Bailiwick, inspect the Schedules to be delivered to him as aforesaid, and confer thereon with the Surveyor or Surveyors to be appointed pursuant to this Act, and thereupon, having regard to the quantity of business which it shall appear likely that the Grand Jury may be called upon to transact, shall fix and appoint for impanelling the Grand Jury under the provisions of this Act hereinafter set forth, such day previous to the day for opening the Commission of Assize as in his discretion may seem fit, such earlier day not being more than *Ten* clear Days, and not less than *Three* clear Days before the day appointed for opening the said Commission; and such Sheriff is hereby authorized and required in manner heretofore practised according to law for summoning persons to serve on Grand Juries in Ireland, to summon and return a sufficient number of persons qualified according to law to serve as Grand Jurors in Ireland, to attend at the usual place of holding Assizes upon the day by such Sheriff so fixed and appointed, and the persons so to be summoned are hereby required to come and appear agreeably to the exigency of said summons, under like penalties and subject to like forfeiture of issues as persons heretofore summoned to appear and serve on Grand Juries at any Assizes throughout Ireland, and to serve under and subject to the like penalties and liabilities until discharged from such attendance in due course of law; and on the day appointed for such attendance, such

21.
25 G. 3. c. 55-
1. 61.
Treasurer to apportion the Sums required, and return the Apportionment on Oath to the Grand Jury.

22.
High Sheriff to impanel Grand Jury not more than Ten and not less than Three clear Days before the Day appointed for opening the Commission at each Assizes.

Sheriff shall attend with his Sub-Sheriff and assistants, and, in the necessary absence of the Sheriff, the Under-sheriff shall proceed to impanel the said Grand Jury in all respects, so far as may be possible, and with like solemnities as heretofore practised according to law for the impanelling of Grand Juries at the several Assizes in Ireland; and the Clerk of the Crown shall attend at the time and place aforesaid, and shall in such manner and form as hath heretofore been used in the swearing of Grand Jurors before the Judge of Assizes, administer to each of the Grand Jurors to be impanelled as aforesaid the Oath following; (that is to say)

“ YOU shall diligently inquire, on behalf of the County [or, county of city, county of town, or city and county] of and true Presentment make of all such Matters and things as shall be lawfully given to you in charge, or as shall come before you in anywise relating to the raising of any Money upon the said County [or, county of city, county of town, or city and county] of or upon any barony, half barony or parish therein, or relating to the expenditure of any such Money: You shall not present, nor allow nor disallow, any matter or thing through hatred, malice or ill-will, nor through fear, favour or affection.

“ So help you GOD.”

23.
This Oath not to bind Grand Jury to Secrecy.

And it is hereby Declared and Enacted, That it shall and may be lawful for any Grand Juror so impanelled, to disclose any matter or thing relative to the making or refusing any Presentment, or the expenditure of any money raised thereby; and that the Oath taken by Grand Jurors in Ireland before the Judge of Assize, in manner and form heretofore accustomed, and which Oath the said Judge is hereinafter authorized and required to administer in the same manner and form as before the passing of this Act, shall not be construed or held to extend or relate to any of the functions of Grand Jurors in or concerning Presentments or Public Works or Monies, or any fiscal concerns of the county whatsoever, nor to any office or function of a Grand Juror, other than the functions of such Grand Juror in matters of a criminal nature.

24.
Grand Jury so impanelled to be the Grand Inquest of the County.

And be it Enacted, That the said Grand Jury so impanelled as aforesaid shall be and be decreed to all intents and purposes to be, and shall constitute, the Grand Inquest of the same county, county of a city, county of a town, or city and county, at and for the Assizes then or thereafter to be holden, and shall, save as hereinafter otherwise provided, perform and discharge and be bound to perform and discharge all the duties, offices and functions which any such Grand

Grand Jury might have performed and discharged, or would have been bound to perform and discharge, if the same were impanelled before the Judge of Assize in manner heretofore practised according to law, and subject to the like forfeitures, penalties and liabilities, and shall possess and exercise all and every the powers, privileges and authorities which Grand Jurors impanelled before the Judge of Assize in manner hitherto accustomed have possessed and exercised or ought to possess or exercise under and by virtue of the laws in force in Ireland, save as may be by this Act otherwise provided; and such Grand Jury shall not depart, save in case of adjournment as hereinafter mentioned, until discharged by the Judge of Assize in due course of law; and the Assizes of each county shall for the purposes of this Act, but only as respects matters connected with Presentments for raising or accounting for or paying Money, or relating to Public Works, be deemed to commence from the impaneling of such Grand Jury as aforesaid.

And be it Enacted, That the Grand Jury impanelled as aforesaid shall not be competent to receive any Bill of Indictment, or to present any Nuisance or Offence, or to enter upon any Criminal Business whatsoever, or to perform any functions appertaining to Grand Jurors, other than those relating to Presentments for raising Money or accounting therefor, or Public Works, and the general fiscal concerns of the county, until the Judge of Assize shall open the commission, and the whole of such fiscal business shall be concluded by such Grand Jury at or before the opening of such commission, and all the Presentments for raising Money, or any how respecting Public Works, shall be delivered to the Clerk of the Crown at or before such time; and after opening such commission with the accustomed formalities, the Judge shall at the usual time direct the Grand Jury to attend in court, and cause to be administered, in manner and form heretofore practised according to law, to each of the persons composing the same, such Oath, other than that which the Clerk of the Crown has been hereinbefore directed to administer, as has been or ought to have been heretofore administered to such persons by the Judge of Assize; and the said Grand Jury shall then and thereupon be and become to all intents and purposes fully competent to the exercise of all functions of Grand Jurors whatsoever, save the making any Presentment for raising Money or respecting Public Works, or auditing Accounts, or such other business of a fiscal nature as has been hereinbefore directed to be concluded before opening the Commission as aforesaid.

25.
Grand Jury not to enter on Criminal Business until Commission opened.

26.
Proviso in Case of Special Application made to Judge of Assize, upon County shews.

Provided always, and be it Enacted, That it shall and may be lawful for such Judge of Assize, upon a special application to be to him for that purpose made, and upon cause shown for granting the

same, to order and direct that the Grand Jury shall and may transact, after and notwithstanding the commission shall have been opened, any such matter relating to Presentments for raising or accounting for Money, or Public Works, or the fiscal concerns of the county, as may be stated in such application, and by force of such order such Grand Jury shall be and become competent to transact the same, any thing hereinbefore contained to the contrary notwithstanding.

27.
Grand Jury to be called over at stated times after opening of the Commission.

And be it Enacted, That each Grand Jury shall, for the whole period during which they shall sit after the opening of the Commission of Assize, be called over each morning at sitting by the Foreman of such Jury, and again each evening at rising; and any Grand Juror who shall make default in his attendance at any of such times shall for every such default incur a penalty of _____ and such default shall be reported by the Foreman to the Judge of Assize, and unless the same shall be excused on the ground of illness or other good and substantial reason to the satisfaction of such Judge, such fine and penalty shall be by the said Judge confirmed and declared absolute, and recovered and applied in the same manner as fines and penalties imposed on Jurors for any defaults or misbehaviour may now by law be recovered and applied; and if the Foreman shall fail to call over the Jury at the times heretofore appointed, or to report the absence of any Juror upon such call, he shall incur a penalty of _____ for each such default, to be in like manner recovered and applied; and of the Jurors present, the next in order upon the panel shall, under like penalty to be in like manner recovered and applied, forthwith report to the Judge such default on part of the Foreman, and the Judge of the Assize shall thereupon direct the said Jury to be called over at such time as aforesaid.

28.
Grand Jury, as soon as impanelled, to proceed with fiscal business, and to make or refuse Presentments on all Applications approved by Special Sessions.

And be it Enacted, That the Grand Jury shall, upon being impanelled and sworn before the Sheriff as aforesaid, forthwith proceed to transact all such business relating to Presentments, for raising Money, Public Works, Contracts, and the fiscal concerns of the county, as may be appointed for them, and to consider and decide upon all Applications which shall be made for Presentments as hereinbefore provided, in the order in which the same shall be entered in the Schedules thereof, to be prepared as aforesaid, beginning with the Applications for Works to be defrayed by the county at large, and examining all Maps, Plans, Estimates and Specifications relating to each Application; and the said Grand Jury shall be attended by their Secretary, and by the Surveyor or Surveyors to be appointed as hereinafter provided, and shall hear and receive and direct to be read aloud in open court the several Reports and Certificates of such

such Surveyor or Surveyors, and shall have power and authority at their discretion to receive and obtain all legal and pertinent evidence which shall be tendered to them for or against the making any Pre-
 5 Work, or the execution of the same, if made wholly or in part at the expense of the county or any portion of the county, or to any contract of or in respect of any of the matters aforesaid; and in case of a difference of opinion, such Grand Jury may retire to a private
 10 room for the purpose of conferring together, and shall afterwards publicly notify their decision in open court; and the said Grand Jury shall sit *de die in diem* until all the business which may come before them of the nature hereby directed to be despatched before
 15 the opening the commission shall be concluded, or until the day appointed for opening the commission shall arrive; and if the whole of such business shall be concluded before such day, then the said Grand Jury may adjourn to such commission day; and every such Grand Juror who shall not attend pursuant to such adjournment shall be fined by the Judge of Assize for such non-attendance, in any sum not exceeding the sum of _____ at
 20 the discretion of the said Judge.

And be it Enacted, That from and after the *passing of this Act*, the Sheriff of each County shall and he is hereby required to frame the Panel of persons summoned to serve on the Grand Jury of such County at each Assizes in manner following; (that is to say) he
 25 shall place first on such panel the name of some freeholder having freehold lands of the yearly value of _____ and upwards within the largest barony or half barony of the same county; and secondly, the name of some freeholder having lands of the like yearly value within the barony or half barony next in extent;
 30 and so on until all the baronies or half baronies of such county shall be gone through, putting on the said panel for each barony or half barony some one freeholder having within the same freehold lands of the yearly value of _____ and upwards, if such fit and competent person can be found therein respectively; and the
 35 persons impanelled from and out of the panel so framed shall be and constitute the Grand Jury or Inquest of such county; any thing in any Writ, Precept or Venire Facias expressed or directed, or any law, usage or custom to the contrary notwithstanding.

And be it Enacted, That it shall not be lawful for any person who
 40 shall be Treasurer of the County, or Secretary of the Grand Jury, Surveyor or High Constable, or Collector of any barony, or Clerk of the Crown, or Clerk of the Peace, to serve upon the Grand Jury at any Assizes for the county wherein he shall hold such office; any law usage or custom to the contrary in anywise notwithstanding.

29.
 Panel shall consist of one Freeholder at least from each barony or half barony having Lands therein of the yearly value of _____

30.
 59 Geo. 3. c. 84. s. 27. Certain Officers not to serve on Grand Juries

31.
Power of
Grand Jury
to present or
reject Appli-
cations.

And be it Enacted, That such Grand Jury impanelled as aforesaid shall have power and authority to present any Work or thing for which an Application shall have been so lodged as aforesaid, so as the same shall have been approved at the Sessions to be holden under this Act for the consideration of such Applications, or to present any part or portion of the Work or thing so applied for, so as such part or portion shall have been lodged and approved as aforesaid, but not otherwise, or to reject such Application altogether, and to allow or disallow, as such Grand Jury may think fit, the Applications to be made by contractors or other persons for payment of salaries as hereinafter provided, either in part or in whole.

32.
Grand Juries
not to make
any Presentment
for raising Money,
unless an Applica-
tion has
been made and
approved at
the Special
Sessions.

And be it Enacted, That from and after the passing of this Act, it shall not be lawful for any Grand Jury, any law, usage or custom to the contrary notwithstanding, to make a Presentment for any Public Work whatsoever, or for raising any Money, for which an Application shall not have been lodged and approved either wholly or in part as hereinbefore provided, save and except such Presentments as may be hereinafter specially excepted, and also save and except such Presentments as may be necessary for the immediate repairs of sudden breaches or damages in roads, bridges, gulleys, walls or buildings, which shall have happened so recently as not to admit of the proper application having been made in manner before provided, which fact, together with the necessity for the immediate execution of such repairs, shall be proved before the Grand Jury upon oath; and in such case, although such application as aforesaid shall not have been lodged or approved as aforesaid, such Grand Jury shall nevertheless have power and authority to present for such repairs any sum of Money not exceeding to be paid to the Surveyor or one of the Surveyors appointed under this Act, and by him expended, or so much thereof as may be necessary to be expended upon such repairs, and accounted for at the next Assizes, in like manner as, before the passing of this Act, Overseers may have been required to account; and the Treasurer of the County shall, out of any Monies in his hands available to the general purposes of the county, advance to such Surveyor from time to time the Monies not exceeding the Sum presented for such repairs, which may be required therefor; and such Monies so advanced shall be replaced by the Monies raised and levied under the Presentment which the Grand Jury have been hereinbefore authorized to make for such purpose.

33.
Grand Jury to
fix the Maxi-
mum of Ex-
pense, and to
fix a term
for the per-
formance of
such Work.

And be it Enacted, That so soon as any Grand Jury shall have determined on making a Presentment for any Public Work whatsoever, such Grand Jury shall proceed to consider the reasonable Costs of making the same, and shall have power at their discretion, in like

like manner as has been heretofore provided with respect to the making of Presentments, to hear and receive evidence of the expense of materials, the wages of labourers, the hire of horses and carts, and all other circumstances needful to the due consideration of the same, and shall thereupon determine and declare the utmost sum which the said Grand Jury deem proper to expend in and about the work so to be presented, such sum not exceeding the Estimate specified in the application for such work; or in case the Justices and Cess Payers at Sessions shall have adjudged such Estimate to be too large, then not exceeding such smaller sum as the said Justices and Cess Payers shall have appointed; and the Grand Jury shall also determine and declare the period within which each work ought to be executed, and such maximum and period shall be set forth and specified in all Presentments of Public Works, and the same presented accordingly.

Provided, and be it Enacted, That nothing in this Act contained shall be construed to limit or affect the duty and authority of Grand Jurors to make Presentments pursuant to orders of the Lord Lieutenant, or other Chief Governor or Governors of Ireland, for repayment of monies advanced by his or their order or authority, nor to affect the powers and authorities or duties imposed upon or belonging to any person or persons named in or appointed by virtue of any Act of Parliament now in force relating to the erection or maintenance of any Court or Sessions House or Gaol or Prison, or other special Public Work or Establishment, save and except that all the Presentments of and concerning the matters aforesaid shall be transacted, together with the other fiscal business of the county, before the opening of the commission at each Assizes.

And be it Enacted, That the Lord Lieutenant, or other Chief Governor or Governors of Ireland, shall from time to time appoint a Board of Three Civil or Military Engineers, to act without salary or emolument, in Dublin, who shall from time to time examine into and certify the qualifications of all persons desirous to act as Surveyors under this Act; and such Lord Lieutenant, or other Chief Governor or Governors, shall appoint from time to time out of the persons so certified, one or more Surveyor or Surveyors to act, at the salary or salaries hereinafter provided, for such county or counties, as the said Lord Lieutenant, or other Chief Governor or Governors, shall think fit; and it shall be lawful for the said Lord Lieutenant, or other Chief Governor or Governors, from time to time at his or their pleasure, to remove such Surveyors from county to county, and each person appointed to be such Surveyor shall, previous to entering upon the duty of his office in any and every county, take an Oath to the following effect, which Oath any Justice of the

34.
Saving of Presentments made pursuant to order of the Lord Lieutenant or any Act for the Erection of Prisons or other special Public Work.

35.
A Board of Engineers to be appointed for the purpose of inquiring into qualifications of persons desirous to act as County Surveyors, and Lord Lieutenant to appoint Surveyors for the several Counties from among such certified Persons.

Peace for such county is hereby authorized to administer; (that is to say)

Oath to be taken by Surveyors

" I, A. B. having been duly appointed a Surveyor for the county of [or for the county of a city, or county of a town, &c.] do swear, That I will, to the best of my skill and ability, faithfully, diligently and impartially examine into the several matters and things appointed to be examined into by me as such Surveyor, under the provisions of an Act passed in the year of the reign of His Majesty King WILLIAM the Fourth, intituled, [here set out the title of this Act] and that in all Reports, Certificates or Answers which may be required of me in any matter relating to my duty as such Surveyor, I will state, declare and certify the truth, the whole truth, and nothing but the truth; and that I will not receive, directly or indirectly, by myself or any other person, any fee, reward, profit or advantage, for any act, matter or thing, to be by me done in the execution of my said office, over and above my salary authorized by the said Act.

" So help me GOD."

36.
One Surveyor may set for two contiguous Counties. Surveyors liable to be dismissed at pleasure, and may appoint Deputies.

And be it Enacted, That with the consent and approbation of the respective Grand Juries, one person may be appointed to act as a Surveyor for Two contiguous counties forming part of the same circuit; and that all persons appointed to act as Surveyors under this Act may be at any time suspended or dismissed at the pleasure of the Lord Lieutenant, or other Chief Governor or Governors of Ireland; and in such case, and on every other vacancy however occasioned, the Lord Lieutenant, or other Chief Governor or Governors of Ireland, shall forthwith appoint a successor from and out of the persons who shall be from time to time certified to be qualified as aforesaid; and in case of indisposition or other unavoidable cause, proved on oath, to the satisfaction of the Grand Jury, such Surveyor may depute another person, duly certified as hereinbefore mentioned, to act for him, and such Deputy shall be removable in like manner as his Principal.

37.
Salaries of the County Surveyors

And be it Enacted, That the Salary of each Surveyor to be appointed as aforesaid shall be for the counties of Antrim, Cork, Donegal, Down, Galway, Mayo, Tyrone, Derry, Limerick and Tipperary, per annum; for the counties of Armagh, Clare, Roscommon, Kerry, Cavan, Wexford, Meath and Monaghan, per annum; for the cities of Waterford, Limerick, Kilkenny, Galway and Drogheda a like sum; and for any and every other county, county of a city or town, per annum: Provided always, That upon the representation of the respective Grand Juries, the Lord Lieutenant, or other

other Chief Governor or Governors of Ireland, may at his or their discretion direct and authorize an augmentation or reduction of the Salary hereinbefore appointed; and provided further, that in case any Surveyor shall be appointed to act for *Two* contiguous counties, his Salary shall be *Two-thirds* of the total amount of the Salaries which would be payable to several Surveyors in respect of each county respectively; and each Grand Jury is hereby authorized and required, at each Assizes, to present a moiety of the Salary or Salaries of each Surveyor or Surveyors for such county, for the half-year last past, and payment of the same shall be made accordingly: Provided nevertheless, That in case the Grand Jury at any Assizes shall be of opinion that any Surveyor has been guilty of gross neglect of his duty or other misconduct, such Grand Jury shall have authority to direct the Salary of the Surveyor so neglecting his duty or misconducting himself to be withheld, and shall report such neglect or misconduct to the Lord Lieutenant, or other Chief Governor or Governors of Ireland; and if the said Surveyor shall be, upon such report, or at any time in any other manner, or for any other reason, dismissed from his office, he shall forfeit, at the discretion of the Lord Lieutenant, or other Chief Governor or Governors of Ireland, the whole or any part of the arrears of Salary due to him; and the same shall be applicable to the general purposes of the county, in like manner as other monies from time to time arising in the hands of the Treasurer.

And be it Enacted, That the Surveyor or Surveyors to be appointed as aforesaid, shall attend at each Special Sessions to be held for the reception of applications for Presentments, and shall afford such professional advice and assistance in the consideration thereof, as may be required of him; and shall also attend upon the Grand Jury, and make to them a full and particular report on all applications for Presentments lodged with the Secretary as aforesaid, and the necessity or utility of the same, and the probable and reasonable expense attendant thereon, and on the correctness of the Maps, Plans, Specifications and Estimates lodged therewith, and how far it may be expedient to alter vary or modify the objects stated in such Applications; and the said Surveyor or Surveyors, or one of them, shall also report on all Notices of Applications on part of Supervisors and Overseers heretofore appointed, and on part of Contractors, and on the progress and execution of all Public Works formerly presented, and on the performance of all contracts, and on the state, repairs, progress and condition of all buildings, roads, bridges, gullets, walls or other work; and the said Surveyor or Surveyors, or one of them, as the Grand Jury shall direct, shall audit all accounts of such works, and ascertain and certify the correctness thereof, and whether any Contractor is entitled to payment, and how far and whether

38.
Duty of Sur-
veyors

whether such Contractor has conformed to the provisions of this Act, and the laws in force in Ireland; and shall also report the name and description of all Persons by him prosecuted for any nuisance or injury to any road, or any other offence of like nature, and the result of such prosecution, and the proceedings therein, and generally on all matters and things relating to the office of Surveyor, as appointed and created under this Act, or as may be given to him in charge by the Grand Jury.

39.
Surveyors to have powers of Conservators and Overseers.

And be it Enacted, That each such Surveyor shall be and is hereby invested with all the powers and duties heretofore belonging to or vested in the Conservators of Public Works in Ireland, and no Conservators of Public Works shall be appointed, or continue to act, in any county or place after such Surveyor shall be appointed therein; and such Surveyor shall also be taken and deemed to be an Overseer of all or any and every Public Work or Works within the county or counties or place for which he shall be appointed or act; and the said Surveyor shall keep an office open for his regular attendance on business, in such place as the Grand Jury shall appoint, and which they are hereby required and empowered to appoint.

40.
Surveyors not to fill other office, nor to be interested in any Contract.

And be it Enacted, That no such Surveyor shall be eligible or liable to serve or act on any Jury, nor to fill any other county office whatsoever, nor be a party to or interested in any application for a Presentment, nor take or receive any fee or gratuity whatsoever from any Contractor or other Person engaged in any Public Work, nor for any matter or thing in anywise appertaining to the duty of such Surveyor, nor be or become in any manner interested in any contract for the performance of any work presented or to be presented to the Grand Jury, on pain of forfeiting his office, with all arrears of salary then due to him; and every such Contract in which such Surveyor shall be or become in any manner interested, shall then and thereupon be and become absolutely void, and the Surveyor so interested shall forfeit *Five hundred Pounds*, to be recovered, with full costs of suit, by any Person who shall sue for the same.

41.
Grand Juries not to name Persons in Presentments by whom Works are to be executed; but all Works to be executed by Contracts made between Tenderers and Proprietors.

And be it Enacted, That it shall not, from and after the *passing of this Act*, be lawful for any Grand Jury, in making a Presentment for the execution of any Public Work, to name or appoint therein any person or persons to execute the same, or to act as Overseer or Overseers thereof as hitherto accustomed; save and except in case of sudden damage or injury, for repair of which a sum not exceeding *Ten Pounds* may be presented, under the provision hereinbefore made in that behalf; and also save and except in the case of any Public Work, the cost whereof shall not exceed _____ pounds in the

the whole as hereinafter provided; and the office of Overseer or Overseers shall be and the same is hereby abolished, save as aforesaid; and all works, save as aforesaid, which shall be presented by any Grand Jury, shall be executed and performed by contract made in manner following; (that is to say) the Secretary of the Grand Jury shall and is hereby authorized and required to notify, by printed advertisement or otherwise, as the Grand Jury shall direct, all Public Works presented at each Assizes, and shall, for and during so many days after each Assizes as the Grand Jury shall appoint, receive all such sealed Tenders and Proposals as shall be delivered to him for the performance and execution of any Public Work or Works comprised in any such Presentments; and each of such sealed Tenders and Proposals shall be indorsed with the Presentment of the Work for which the party making such Tender and Proposal is desirous to contract, and shall contain within a statement of the lowest price, not exceeding the sum limited by the Grand Jury, as hereinbefore directed, at which the party making such Proposal is willing to contract for the performance of the Work comprised in such Presentment, and shall be subscribed with the name, description and residence of the party so desirous to enter into such Contract, and also the names, descriptions and residences of some two other persons resident within the same county in such Work is to be performed, willing to be bound jointly and severally with him, in a penal sum, double the amount of the said sum so presented, for the due and faithful performance of the said Contract within such time and in such manner as by the Presentment of such Work, shall be prescribed; and at such time and place as the Grand Jury shall appoint for the holding of a Special Sessions for the opening of such Tenders and Proposals, the said Secretary of the Grand Jury shall, in open court, produce, duly numbered and arranged, all the Tenders and Proposals which may have been delivered to him, and shall open seriatim all such as may have been made for the execution of each separate Presentment; and so soon as the lowest Proposal made for the performance of the work comprised in each Presentment shall be ascertained, the party making such Proposal and his securities shall be called, and if the said party and his sureties shall appear and shall satisfy upon oath a majority of the Justices there present, of the sufficiency and ability of each and every of them to answer and make good the penalty hereinbefore specified for the non-performance of such Contract, and shall thereupon enter into security for the due performance of the same, conditioned in such penalty as aforesaid, such Proposal shall be accepted, and the Contract with the party making the same shall be and be declared absolute; but that if the party making such Proposal and his sureties shall not appear when called, or shall fail to satisfy a majority of the said Justices present of their sufficiency and ability as aforesaid, or

Grand Jury to
appoint
Special
Sessions for
opening sealed
Tenders and
Proposals.

shall decline to enter into such security as aforesaid, then and in such case the Proposal of the party making default as aforesaid shall be deemed null and void to all intents and purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same manner, and so on until the said security shall be entered into, and the Contract shall be duly completed; and if no Proposal shall be made for any Presentment agreeably to the terms thereof, such Presentment shall be void and of none effect whatsoever; and every Grand Jury shall and is hereby authorized and required to appoint by Presentment the mode in which their Secretary shall notify for the purpose aforesaid the Presentments by them made, and the time and place whereat the Special Sessions for the purpose of opening the Tenders and Proposals aforesaid shall be holden; and at such Sessions all the Justices of the Peace for the same county shall and may be present and attend: Provided always, That in case Five such Justices shall not attend on the day and at the place appointed for holding such Sessions, the same shall be adjourned, and the opening of such sealed Tenders and Proposals respited until the day next following, to be then and there holden for the purpose aforesaid, and so on, *de die in diem*, until such number of Justices of the Peace shall attend: Provided always, That such adjournment shall not be made to a Sunday, Christmas-day or Good Friday, but in such case always to some other day next after.

42.
Security to be
by Recogniz-
ance to the
King.

And be it Enacted, That such Security so to be entered into by Contractors under this Act, and their sureties, shall be a Recognizance to His Majesty, His heirs and successors, and of like force, validity and effect as other Recognizances made to The King's Majesty; and the Justices at such Sessions are hereby authorized to take such Recognizance, and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent delay; and the reasonable expense of preparing the same, shall be defrayed by the party or parties entering thereinto; and such Recognizance shall be preserved in custody of such Secretary.

43.
Works under
the contract of
£.
may be con-
tracted by Ap-
point.

And be it Enacted, That in the case of any Public Work, the expense whereof shall not exceed _____ in the whole, it shall and may be lawful for the Grand Jury presenting the same, at their discretion, to authorize (anything hereinbefore contained to the contrary notwithstanding,) the persons, or either of them, who shall have made application for such Work, to execute the same, if willing and desirous so to do, at and for the sum in such application specified, and the person or persons so willing and desirous, and so authorized, shall be for all the purposes of this Act, deemed to have contracted for the same at such price, and shall enter into the like security.

security, and observe the like regulations in all respects as Contractors under this Act, and make application for payment in like manner.

And be it further Enacted, That all Contracts which any Grand Jury may now or hereafter be authorized to make or enter into for the repair of roads, or for any other purpose whatsoever, shall hereafter be made by sealed Tenders and Proposals, to be delivered, opened and dealt with, and security to be taken, in like manner as hereinbefore provided with respect to Contracts for the performance of Works comprised in Presentments to be made after the passing of this Act, the amount of such security in such cases to be fixed by the Grand Jury, and stated in the Presentments for such Contracts: Provided always, That nothing herein contained shall extend to restrain or affect any Contract made or to be made with any Commissioners acting under authority of Parliament in the loan, advance or grant of Exchequer Bills or Money.

44-
All future
Contracts
which Grand
Juries may
enter into, to
be made as
hereinbefore
provided by
sealed Tenders
and Proposals.

And be it Enacted, That the Secretary of each Grand Jury shall provide and keep a Book, in which he shall insert an Abstract of the several Contracts which now are or hereafter may be entered into by such Grand Jury, setting out the names of the several Contractors and the places whence and to which each Road contracted for leads, and at what milestone, meaying or noted place each Road or part of a Road under the charge of such Contractor commences and ends, and the number of perches of Road included in each Contract, and the rate per perch at which each Contract has been entered into, and the whole annual sum which each Contractor is to be paid, and the period for which each Contract is made; and all such Contracts, so entered in such book, shall be numbered; and every such book shall have an Alphabetical Index, referring to the number of each Contract.

45-
Secretary to
keep a Book
containing
Abstracts of
Contracts

And be it Enacted, That every Person who shall from and after the passing of this Act enter into any Contract for the keeping any Road in repair, shall forthwith cause an accurate Map to be made at his own proper cost, upon a scale of Ten perches to an inch of the part of the Road for the repairs of which he shall be a Contractor; which Map shall show the market town whence and to which said Road leads, and mark the precise spot where such Contract commences, and each townland or other denomination of land through which such Road or the part thereof contracted for passes, and where the same ends; and the line of such Contract shall be in a different colour from the rest of the Map, and the houses and names of the occupying tenant on the immediate side of such Road, and the bridges, arches or pipes over streams of water crossing such Road; and the

46-
Contractors
to make Maps
of Roads re-
paired.

Surveyor making such Survey and Map shall sign his name at the foot of such Map, and shall be sworn to the accuracy of such Survey and Map, by some Justice of the Peace residing near to the same Road, who shall attest the same by his signature; and all such Contractors' Maps shall be lodged with the Secretary to the Grand Jury, and shall be numbered by him with the like number as the Contract may be distinguished by in the Book of Abstracts hereinbefore directed to be prepared, and shall be preserved by him, and be produced when required by the Justices at their Special Sessions, or by the Grand Jury; and it shall not be lawful for any Grand Jury to make any Presentment for any Contractors, or who shall not severally have complied with the regulations herein contained.

47.
Advances may
be made to
Contractors in
certain cases.

And be it Enacted, That in cases where the cost of executing any Public Work shall exceed pounds, and it shall be certified by the proper Surveyor that one half of the work has been executed conformably to the Contract, it shall be lawful for the Grand Jury to direct the Treasurer of the same county, from and out of any funds in his hands applicable to such purpose, to advance to the Contractor one-half of the cost of the work, provided that within the period hereinbefore limited for lodging applications for Presentments, due notice has been lodged with the Secretary of the Grand Jury, of the intention of such Contractor to apply for such advance, and that such application shall have been approved of by the Justices and Cess-payers at the Special Sessions to be holden for the purposes of receiving Applications under this Act.

48.
Contractors to
keep Accounts
of all Dis-
bursements,
and to make
all Payments
in Money, and
not otherwise.

And be it Enacted, That every Person entering into any Contract with any Grand Jury after the passing of this Act, shall and is hereby required to keep a full and particular account of all labourers, hoeses and cars by him employed in the execution thereof, distinguishing each particular payment made by him or his order, to each and every of such labourers on account of wages, and whether the same was paid for such labourer's own personal labour, or for the hire of a horse, a horse and car, or cart, or both; and all such labourers shall be paid in full at least once each week, in current money of the United Kingdom, as well for their personal labour as for the hire of horses and carts or cars; and every such Contractor shall lodge with the Secretary of the Grand Jury, within the time hereinbefore limited for the lodgment of Applications for Presentments, a true Copy, attested by his signature, of such Accounts, up to the time of lodging the same; and shall also, on the completion of his Contract, lodge with such Secretary a true and complete Copy of such Accounts from the commencement of the work to its completion.

And

And be it Enacted, That if in contravention of this Act any Contractor shall himself, or if the deputy or agent of such Contractor by his order or with his consent and privity, shall pay or deliver to any labourer for or on account of wages for his own personal labour, or for or on account of the hire of any horse, horse and car, or horse and cart, any article or commodity whatsoever in lieu of money, or any token, order or draft on the keeper of any store or shop, or any order entitling the bearer or holder to any commodity or article whatsoever, or shall give credit to any such labourer for such wages or hire as aforesaid, in any account whatsoever, or make therefor any allowance in rent or other debt, liability or engagement, and that the same shall appear to any Judge of Assize in the same county, who is hereby authorized and required, upon the complaint of any person whatever, summarily to inquire into and decide the same, then and in such case the Contractor adjudged guilty thereof shall for every such act forfeit the sum of *Twenty Pounds*, to be deducted from the sum payable to him on account of his contract, and applied, in the hands of the Treasurer of the County, to such purposes as savings made on Presentments are applicable to.

49-
Penalty on
Contractors
contravening
this Act.

And be it Enacted, That all Contractors under this Act shall be liable to be summoned before the Justices assembled at any Petty Sessions, on complaint of the party aggrieved, for recovery of any Wages or Mooney payable to any person employed by them in the execution of such Works, so as the sum demanded do not exceed *;* and such Justices assembled as aforesaid are hereby authorized and required to hear such complaint and adjudicate thereon, and the decision of such Justices shall be final; and the Sum adjudged to be due shall be levied by Warrant of Distress under hand and seal of any Two such Justices, off the goods and chattels of such Contractor.

50.
Contractors
liable to be
summoned
before Justices
at Petty Ses-
sions, for
Wages.

And be it Enacted, That every Contractor under this Act shall, on the completion of the Work for which he may have contracted, give Notice thereof to the proper Surveyor or Surveyors, or any of them, and procure from him or them a Certificate of the due execution of such Work according to the contract; and such Contractor shall also lay before such Surveyor or Surveyors a complete Copy of the Accounts of all Labourers employed by him in the execution of such Work, and of all Wages paid to such labourers, and of all Sums paid for the hire of horses, horses and carts and cars, as hereinbefore directed to be lodged with the Secretary of the Grand Jury, and procure a Certificate thereof; and such Contractor shall lodge with the Secretary of the Grand Jury within the period hereinbefore limited for the lodgment of notices of applications for Presentments, a Notice of his intention to apply for payment of the Sum contracted for by him, together

51-
Contractors to
procure Certi-
ficates from
County Sur-
veyors, of the
Completion of
Work, and to
lodge Notice,
with Secretary
of Grand Jury,
of Application
for Payment;
such Applica-
tion to be
made at
Special Ses-
sions, and if
there ap-
proved, to be
allowed or dis-
allowed by
Grand Jury,
according to
their discre-
tion.

Secretary to
make Schedules
of Notices, and
lay same be-
fore Justice
at Special
Sessions.

with such Certificates to be obtained from the said Surveyor; and the Secretary to the Grand Jury shall arrange in like manner as he has been hereinbefore directed to arrange applications for Presentments; all such Notices and Certificates, and annex to each the Number by which the Contract in respect whereof such Notice or Certificate may be given is distinguished in the Book of Abstracts which such Secretary has been hereinbefore directed to keep, and indorse on such Notice and Certificate the date of the lodgment of the same; and such Secretary shall lay all such Notices and Certificates, with an Abstract thereof, and Index thereto, before the Justices and Cess Payers assembled at the Special Sessions to be holden under the provisions of this Act for the county, or portion thereof, whereon, as the case may be, the Work comprised in each Contract is chargeable; and the Justices and Cess Payers at such Sessions shall examine into all such Applications for payment on the part of Contractors, and inspect the Notices thereof, and the Certificates aforesaid, and examine the Surveyor or Surveyors, and all other persons whom they think it necessary to examine, for the purpose of ascertaining the due execution of the Work contracted for, and shall therein have and exercise all such powers and authorities as in the case of Applications for Presentments under this Act; and in like manner determine and decide upon all such Applications for payment by majority of votes; and the Chairman at such Sessions shall on every Application which may be approved, indorse the word " Allowed," and on every Application which shall not be approved he shall indorse the word " Disallowed," and the reason of such disallowance, and a note of or reference to the Items in the Account of the Contractor, or to the particulars of the execution of the Work, which may have caused such disallowance; and all such Applications, with the Notices and Certificates thereto belonging, shall be delivered to the Secretary of the Grand Jury, to be laid before them at the next ensuing Assizes; and such Grand Jury and the Court shall take such Application into consideration, and allow or disallow the same according to their discretion, in like manner as the Affidavits of Overseers have been heretofore allowed or disallowed: Provided always, That it shall not be lawful for such Grand Jury or Court to allow any Application which shall not have been approved of by the Justices and Cess Payers at such Sessions as aforesaid; and no Contractor shall be entitled to payment, who shall not have given such Notice and made such application, to be approved and allowed as aforesaid, any thing in any Contract contained, or any law or usage to the contrary notwithstanding.

52.
Applications
of Contractors
for Payment
shall be
Traversed.

Provided, and be it Enacted, That it shall be lawful for any person paying Grand Jury cess, to traverse in manner in which Presentments have been heretofore traversed at Assizes in Ireland, any Presentments

ments made under this Act, and to traverse in like manner the Application of any Contractor under this Act for payment, on the ground of the Contractor not having complied with the terms of his agreement, or with the provisions of this Act, in respect of the accounts of such Contractor, or on the ground of irregularity in the notice of application; and the Court at each Assizes is hereby authorized and required to try the truth of the fact by a Jury, in the same manner as any Traverse within the jurisdiction of the Court ought to be tried; and it shall not be lawful for the Clerk of the Crown or Clerks of the Peace, or any other person, to take any greater fee for or in respect of such Traverse, than the smallest sum which may be taken on any Traverse within the jurisdiction of the Court; and Costs shall be paid by the party against whom such Traverse shall be found; provided, that although there shall be a Verdict against such Traverse, yet if the Court shall be of opinion that there was reasonable and probable ground for traversing such Presentment, or the Application of such Contractor, the Costs shall be paid by the Treasurer of the County, from and out of the county monies in his hands, and the same presented accordingly.

And be it Enacted, That it shall not be lawful for the Treasurer of any County to pay any Money which may be applied for by any Contractor or other person, the Application wherefor may be traversed, unless such Traverse shall be withdrawn, or Judgment given for the Defendant on the Trial thereof.

53.
Treasurer not to pay Money applied for, until Traverse decided.

And be it Enacted, That it shall and may be lawful for the Grand Jury at every Summer Assizes to appoint a Special Sessions to be held in the County Court-house in the month of October subsequent to the General Sessions of the Peace in the said month, by the Justices of the Peace and Cess Payers authorized under the provisions of this Act to preside at Special Sessions, for the consideration of Applications for Presentments; and it shall be lawful for any Contractor to make application for payment at such Special Sessions to be holden in the month of October, and for the Justices and Cess Payers thereof to allow or disallow such Applications, due Notice of such applications having been given, and like Certificates procured and lodged, under the like provisions and regulations as hereinbefore prescribed respecting Applications for payment at other Special Sessions; and it shall be lawful for any person paying Grand Jury cess to traverse any such Application, and for the Justices to try the same in like manner as any Traverse may be tried at any Assizes; and the Treasurer of the County shall and he is hereby required to pay all Money, the application wherefor shall be allowed and certified under the hand of the Chairman at such Sessions, in like manner as if the

54.
Applications for payment may be allowed at a Special Sessions to be holden in the month of October in each year.

same had been allowed by the Grand Jury and Court at any Assizes.

55.
Costs of
Stamps and
Expenses of
Applications to
be paid in first
instance by
Applicants,
and reim-
bursed by
Grand Jury.

And be it Enacted, That the Cost of Stamps on Applications for Presentments and the Expenses of preparing Estimates, Specifications, Plans, Maps, Sections and Elevations, shall be in the first instance defrayed by the party applying, and in the event of such Application being allowed, but not otherwise, such party shall be reimbursed by the Treasurer all such costs and expenses as the Grand Jury may think fit and reasonable; and each Grand Jury shall, together with the maximum appointed and limited for executing the Work comprised in such Application, present all such Costs and Expenses to be in like manner levied and raised.

56.
Surplus
Moneys appli-
cable to gene-
ral purposes of
County.

And be it Enacted, That any Balance, arrears of or surplus on the salary of any County Officer, or balance or surplus on the maximum costs and expenses presented and raised for the execution of any Public Work, beyond the cost of executing the same by contract to be made as aforesaid under this Act, and all other such like Surplus and Balances of Money raised by authority of this Act, or which may any how arise in the hands of any County Treasurer, shall be applied and applicable to defray the expenses of any other Public Works, or to pay any like salaries, or to defray any other County charge or work, in such manner as any Grand Jury may think fit to direct and appoint.

57.
Tenants at
Will and from
year to year
to deduct all
Grand Jury
Cesses from
their Rents,
save so herein
excepted.

And be it Enacted, That from and after the *passing of this Act*, it shall and may be lawful for every person occupying Land in Ireland, as tenant at will, or tenant from year to year, to deduct from and out of the amount of Rent payable to his immediate landlord, all and every such Cess and Cesses as may be imposed upon and be paid in respect of such land, by virtue of any Grand Jury Presentment made by force of this Act or any law now in force in Ireland, save as hereinafter excepted; and the Receipt or acquittance of the Collector to whom, under the authority aforesaid, such Cess or Cesses may be paid, and which receipt such Collector is hereby required to give when demanded, shall be a good and sufficient discharge to such Landlord for so much as shall be therein expressed to have been paid on account of such cess or cesses, and every such Landlord shall accept such Receipt in payment and satisfaction of such amount.

58.
All Leases and
Demises here-
after made at
Rack Rents to
be free from
Grand Jury
Cesses.

And be it Enacted, That every person who shall, after the *passing of this Act*, let, set or demise any Land in Ireland at a rack rent, shall make such Lease or Demise free from and clear of all Grand Jury Cesses and Assessments whatsoever, and the Lessee thereof shall and may

may in like manner as has been hereinbefore provided with respect to tenancies at will and tenancies from year to year, deduct from and out of the Rent reserved on and by such lease or demise, all Grand Jury Cesses and Assessments paid for and in respect of the land so demised, save and except as hereinafter provided; and if any Covenant or Agreement contravening the policy of this Act shall be made or inserted in any such Lease or Demise, the same shall be void and of none effect whatever, and the Lessee shall and may, at his option, at any time avoid such lease altogether.

And be it Enacted, That whenever, upon the making of any Lease or Demise, any sum shall be paid by way of Premium or Fine, which sum shall not be at least quadruple the amount of the Rent or Rents reserved upon such Lease by the year, or issuing out of the land or premises so demised and accruing due under such Lease by the year, in whatever portions the same shall be made payable, and whether half-yearly or quarterly, or at any other shorter or other period, then and in such case the Rent or Rents reserved by and payable under such Lease or Demise shall be deemed and taken to be, and is and are hereby declared to be for all the purposes of this Act, a Rack Rent or Rack Rents.

50.
Where Fine or Premium paid on making Lease shall not be quadruple the amount of annual Rent, such rent to be deemed a Rack Rent.

Provided, and be it Enacted, That nothing in this Act contained relating to the payment of Grand Jury Cess shall extend to Leases for terms of ninety-nine years or upwards from the making thereof, nor to Leases for lives or years with a covenant for perpetual renewal, nor to Leases held immediately under any person or persons, or body or bodies corporate or ecclesiastical, or held under any person or persons deriving from the immediate lessees of such person or persons, body or bodies corporate or ecclesiastical, with a toties quoties covenant of renewal.

60.
Saving as to certain interests Leas.

Provided always, and be it Enacted, That all and every such Cess or Cesses as shall at any time become payable by virtue of any Presentment made for defraying the expenses of an extraordinary establishment of Police in any disturbed district, or by virtue of any Presentment made for defraying the expense of an extraordinary establishment of Police in respect of the prevalence of offences against the laws for the suppression or prevention of illicit Distillation, or by virtue of any Presentment made for or by levying any Fine imposed by virtue of an Act passed in the fifty-ninth year of his Majesty King GEORGE the Third, intituled, " An Act to limit the continuance of the operation of the several Acts for imposing Fines upon Townlands and places in Ireland, in respect of Offences relating to the unlawful Distillation of Spirits; and to amend the said Acts; and to provide for the more effectual Prevention or Sup-

61.
All Penal Cesses to be paid by continuing Tenant.

pression of such Offences;” or by virtue of any Presentment made under the Statutes of Hue and Cry, or for levying satisfaction for any Robbery, burning or maiming or houghing of cattle, or other malicious injury, or for indemnifying Prosecutors or Witnesses their expenses, and any and every other Penal Fine, Cess or Assessment whatsoever, shall be paid and payable by the occupying Tenant of the land on which or in respect of which the same may be imposed or levied or paid; and nothing in this Act contained shall extend or be construed to extend to exonerate such occupying Tenant from liability thereto, nor to entitle or authorize any deduction for any Cess levied for any of the purposes aforesaid, from the Rent payable in respect of such land, of what nature soever be the tenancy thereof.

62.
Separate Warrants for levying Penal Presentments.

And be it Enacted, That the Treasurer of each County shall applot separately, on the several baronies, half-baronies and other portions of each county, all such Penal and other Presentments as hereinbefore appointed, to be raised off and paid by the occupying Tenant or Tenants, and shall issue a distinct and separate Warrant for the levying thereof; and the several persons appointed to applot the Sum directed by such Warrants to be raised off the several parishes, manors, and other denominations and subdivisions of land, shall in like manner separately applot the same; and the High Constables and others appointed to collect and levy such sums so applotted on such denominations and subdivisions, shall in like manner separately and distinctly collect and levy the same.

63.
36 Geo. 3.
c. 55. s. 45.
Traverses of Presentments.

And be it Enacted, That any person intending to traverse any Presentment for which it is by this Act required that Application shall be made at Special Sessions, shall give Notice in writing of such intention to the Chairman at the Special Sessions at which the Application for such Presentment is to be taken into consideration; and the same shall be traversed only at the Assizes at or immediately previous to which the Presentment shall be made; and it shall be lawful for any Occupier or Owner of the ground through which any new Road is to be made, or into which any old Road is to be widened, to traverse the Presentment for the same for Damages at such Assizes as aforesaid, which Traverse or Traverses shall be tried then or at the ensuing Quarter Sessions for such county, upon the entry in the Crown Book of the Presentment and Traverse, without making up any record; and the Jury which shall try such Traverse shall be sworn true verdict to give, whether any and what damages will occur thereby to the Traverser, taking into consideration any collateral advantages which may result or accrue to such Traverser by reason thereof, and making abatement accordingly; and upon the Damages so found being presented for the use of such Traverser, or deposited for his or their use with the Treasurer of the County,

it

it shall be lawful for the Contractor to proceed in the execution of the Presentment without the interruption of any person; and it shall be lawful for the Grand Jury to present, at their discretion, such sum or sums of Money, so found for Damages, to be raised on the county, or on the barony or half barony, county of city or town respectively in which the Traverser shall have made it appear that he or she sustained the Damages, and to such latter Presentment no Traverse shall be allowed or received.

And be it Enacted, That any Justice of the Peare in any county may, under his hand and seal, order any sum not exceeding Ten Pounds to be expended in repairing any Bridge or any public Road which may be suddenly damaged, provided it shall appear to him upon his own View, or that of the County Surveyor, or by the affidavit of Two credible persons, that the repairs of such Bridge or Road cannot be delayed till the next Assizes without prejudice to the public, as they verily believe, which affidavit the said Justice is hereby empowered to take; and it shall be lawful for such Justice to appoint a proper person or persons to repair the same; and every Grand Jury of any such county is hereby empowered to present at the next Assizes the Sum so expended in repairing any such Bridge or Road which is liable to be repaired by the county at large, to be levied on such county at large, and any Sum so expended in repairing any other Road upon the barony, or on the county of the city or town wherein the same is situate, such Sum to be paid to the person so appointed by such Justice, upon his or their producing such Order under the hand and seal of the said Justice, as also a Certificate under the hand of the County Surveyor that the Sum specified in such Order appears to have been faithfully and honestly expended pursuant thereto: Provided always, That no such Order shall be made by any Justice, unless the necessity of the same shall be notified to him by the County Surveyor, in all cases when the attendance of such Surveyor can be readily procured.

And be it Enacted, That all Weights and Measures mentioned in this Act or used under any of the provisions thereof, or referred to in any Presentment, shall be the Weights and Measures fixed and ordained by an Act passed in the fifth year of the reign of his late Majesty King GEORGE the Fourth, intituled, "An Act for ascertaining and establishing Uniformity of Weights and Measures," any law, usage or custom to the contrary notwithstanding.

And be it Enacted, That any Surveyor or Contractor by whom any Sum shall be paid for Damages committed in procuring materials for the execution of any Work, shall make application to the Justices assembled at the Special Sessions to be holden under this Act for

64.
36 Geo. 3.
c. 55. s. 75.
59 Geo. 3.
c. 85.
Justice may
order Sums for
repairing sud-
den Damages
of Roads.

65.
Composition
of Quantity
of Materials.

66.
Amount of
Damages
committed in
procuring
Materials, to
be applied for
like other

Presentments
under this
Act.

the consideration of Presentments, to be reimbursed the amount so paid, giving like Notice of such application as hereinbefore prescribed in cases of other applications; and the Justices at such Sessions shall examine into such Application, and for the purpose of such examination, have and exercise all such powers and authorities as in the case of other Applications for Presentments under this Act, and in like manner shall approve or disapprove the same; and the said Application shall be delivered to the Secretary of the Grand Jury, to be laid before them at the next ensuing Assizes; and such Grand Jury shall have power and authority, in case such Application shall have been approved at such Sessions, but not otherwise, to make Presentment accordingly of the amount of such Damages, to be levied off the county at large, barony or half barony, county of a city or county of a town, or any portion thereof, as the case may be, chargeable with the cost of executing such Work.

67.

49 Gen. 2.
c. 24 s. 15.
Presentments
to contain a
reference to
the proper
Statute.

And be it Enacted, That on every Presentment for the levying of any Public Money whatsoever, the year of the King's reign and the chapter and section of the Act of Parliament (as printed by the King's Printer) under which such Presentment is authorized to be made and fiated, shall be inserted on the face of such Presentment; and every such Presentment shall be entered in the County Book and in all the Schedules of Presentment, with a marginal note of such Acts in manner aforesaid, and the title of each particular Act so referred to shall be inserted at the end of all such Schedules, in default of which it shall not be lawful to present for printing the same; and all Presentments not made according to the directions foregoing shall be null and void.

68.

All Works
and Bridges
under 45 G. 3.
c. 43. to be
performed by
Contract.

45 G. 3. c. 43.

And be it Enacted, That from and after the passing of this Act, all such Roads or Bridges as any Grand Jury may be required or authorized to make, alter, fence, level, gravel, widen or repair, or in which to cut down hills or fill up hollows, under or by virtue of any of the provisions of an Act passed in the forty-fifth year of the reign of his Majesty King GEORGE the Third, intituled, "An Act to amend the Laws for improving and keeping in repair the Post Roads in Ireland, and for rendering the conveyance of Letters by His Majesty's Post Office more secure and expeditious," or any power or authority derived from such Act, or from such Act as amended by any other Act or Acts passed or to be passed, shall be made, altered, fenced, levelled, gravelled, widened or repaired, and the hills therein cut down, and the hollows filled up, by Contract, in manner prescribed by this Act for the performance of other Public Works, and Presentment shall and may be made therefor accordingly; and it shall not be lawful for any Grand Jury to appoint any Overseer or General Overseer of any such Roads or Bridges: Provided always,

That

That it shall be lawful to make Advances to any Contractor, in like manner as to any Overseer, under the said Act, and that such Contractors shall be and are taken to be in the place of such Overseers, so far as may be compatible with the nature of their Contract; and in all other particulars, save as aforesaid, the said Act or Acts, and all Powers, Authorities, Conditions, Clauses and Regulations therein contained, shall be and remain in full force and effect, any thing herein contained to the contrary notwithstanding.

And be it Enacted, That from and after the *passing of this Act*, it shall not be lawful for any Grand Jury to make Presentment for any Bridge conformably to a Proposal for erection thereof under the provisions of an Act of the Irish Parliament passed in the nineteenth and twentieth years of the reign of his Majesty King GEORGE the Third, intituled, "An Act for empowering Grand Juries to present Bridges and Tolls to be paid for passing the same in certain cases," or of an Act passed in the fifty-third year of the reign of his Majesty King GEORGE the Third, amending the last-mentioned Act, unless such Proposal shall have been first approved of at the Special Sessions to be holden under this Act for the consideration of Applications for Presentments; and that all Proposals under the said Acts shall be made in the form of such Applications, and lodged and dealt with, and notice thereof given and posted, as in case of other Applications for Public Works; and that so much of the said last recited Acts as direct Notice to be given in any other manner, be and the same are hereby repealed.

And be it Enacted, That from and after the *passing of this Act*, it shall not be lawful for any Grand Jury to make Presentment for the building, enlarging, repairing or rebuilding any Court House or Sessions House, unless an Application for such Presentment shall have been first made and approved of at the Special Sessions to be holden under this Act for the purpose of considering Applications for Presentments; and that all such Applications in respect of any Court House or Sessions House shall be made and dealt with in like manner and under like regulations and conditions as hereinbefore prescribed in respect of other Applications for Public Works, so far as the same are applicable; and that it shall not be lawful for any Grand Jury to appoint Overseers of any such Court House or Sessions House so to be built, repaired, enlarged or rebuilt, but that all such Works shall be executed by Contract made upon sealed Tenders and Proposals, in manner hereinbefore prescribed with respect to other Public Works; provided that, save as aforesaid, nothing in this Act contained shall extend to repeal any of the provisions of two Acts made respectively in the fifty-third and fifty-fifth years of the reign of His Majesty King GEORGE the Third,

69.
Grand Jury not to make Presentments for any Bridge conformably to Proposal under (L.) 19 & 20 G. 3. c. 41 unless first approved at Special Sessions, and lodged and notified like Application for Public Works.

70.
Grand Jury not to make Presentments for any Court House till Application has been approved of at Special Sessions.

providing regulations for the building and repairing of Court Houses and Sessions Houses in Ireland, or of an Act passed in the seventh year of the reign of his late Majesty, intituled, " An Act for consolidating and amending the Laws relating to Prisons in Ireland."

71.
7 & 8 Geo. 4.
c. 67. s. 7.
Room for
Petty Sessions.

And be it Enacted, That it shall be lawful for the Grand Jury of any county to present, for the holding of Petty Sessions, an annual Sum, not exceeding for the Rent of a Room or Rooms, not being in a house where spirituous or fermented liquors are sold ; provided that no such Presentment shall be made unless upon an Application made and approved at Special Sessions, in like manner as hereinbefore provided with respect to other Applications for Presentments under this Act.

72.
54 Geo. 5.
c. 113. s. 2.
Account of
Receipts and
Expenditure
before Money
presented.

And be it Enacted, That where any Fever Hospital has been or shall be established in any county, an Account of the Receipt and Expenditure of such Fever Hospital, from the time of its establishment to the time of the first Presentment required, and afterwards from the time of each Presentment till the time when any further Presentment is required, shall, together with any Application for any Sum proposed to be presented for the support thereof, be laid before the Special Sessions to be holden under this Act for the purpose of considering Applications for Presentments, and that no such Presentment shall be made, unless such Account and Application shall be approved at such Special Sessions.

73.
Presentments
for Infirmaries.
5 G. 3. c. 10. s. 6.
25 G. 3. c. 39.
25 G. 3. c. 40.
45 G. 5. c. 111.
49 G. 3. c. 35.
20 G. 3. c. 17.
54 G. 3. c. 62.
s. 1, 2, 3.
47 G. 3.
c. 50. s. 2.

And be it Enacted, That it shall not be lawful for any Grand Jury to present any Sum to be paid to the Treasurer of the Infirmary of any county, towards the support and maintenance of such Infirmary, unless, together with an Application for such Presentment, a Certificate under the hand of the Physician or Surgeon of such Infirmary, stating the number of Patients as well exterior as interior, received and relieved since the preceding Summer Assizes, and also a true Debtor and Creditor Account of the Funds and Expenses thereof, commencing from the preceding Summer Assizes, attested by the Signature of the Treasurer of such Infirmary, shall have been laid before the Special Sessions to be held under this Act for the consideration of Applications for Presentments, and approved thereat.

74.
Presentments
for Dispensaries.
38 G. 3.
c. 47. s. 5.
3 G. 4. c. 21.

And be it Enacted, That it shall not be lawful for the Grand Jury of any county to present any sum of Money towards the establishment or support of any Dispensary, unless a Certificate of the sums of Money received by the Governor or Governors thereof from private subscription or donation, shall have been, together with an Application for such Presentment, allowed and approved of at the Special Sessions to be held under this Act for the consideration of Applications

Applications for Presentments, and an Account of the Disbursements of all Monies raised by virtue of any such Presentment for such local Dispensaries, as well as all Monies so received from private Subscription or Donation for their use, shall be laid before the Justices at the Special Sessions ensuing the disbursement thereof; and it shall not be lawful to make any further Presentment in aid of such Infirmary, unless such Account shall be allowed by the Justices at such Sessions; and all such Accounts shall also be laid before the Grand Jury at each Assizes.

And be it Enacted, That it shall not be lawful for any Grand Jury to present any Sum to be paid to the Surgeon of any Infirmary, unless, together with an Application therefor, a Certificate, signed by the Governors of such Infirmary or Hospital, or by Five of them at the least, shall be laid before the Special Sessions to be holden under this Act for the purpose of considering Applications for Presentments, which Certificate shall state that the Surgeon for whom such additional Salary is requested to be presented, hath duly and faithfully executed his duty as Surgeon of such Infirmary or Hospital during the preceding year, nor unless a true Copy (certified under the hand of the Treasurer of such Infirmary or Hospital) of the Letters Testimonial from the College of Surgeons in Ireland, by law required to be obtained by every such Surgeon, shall be laid before such Special Sessions, nor unless such Surgeon shall have given his Attendance and Professional Assistance without any other or further fee or reward to the Prisoners and others in the Gaol of the county, to the Infirmary of which he has been appointed Surgeon, if such Gaol is situate within Five miles of such Infirmary.

And be it Enacted, That from and after the passing of this Act it shall not be lawful for any Grand Jury to present any sum or sums of Money for the purpose of erecting, establishing, hiring, repairing, enlarging, rebuilding or fitting up any Fever Hospital, nor for the support of any Lunatic Asylum, or Ward or Wards for the reception and support of Idiots and Insane Persons, nor for the expenses attending the removal of any Offender apprehended in any other part of the United Kingdom, nor for the conveyance of Convicts in order to be transported, nor for the conveyance of Offenders to the House of Correction or other place in which they may be sentenced to labour, unless Application for the same shall have been made and approved at the Special Sessions appointed to be holden under this Act for the consideration of such Applications; provided that it shall and may be lawful for Grand Juries, without any such application at Special Sessions, to make such Presentment as by law now authorized for the remuneration of Constables and their assistants in

75-
54 Geo. 3.
c. 62. s. 1.
Salary of Surgeon to Infirmary.

54 Geo. 3.
c. 62. s. 2, 3.
On certain conditions.

76.
Certain Presentments not to be made by Grand Jury unless approved of at Special Sessions.

Certain Presentments may be made without any Application at Special Sessions.

conveying Prisoners to gaol under the warrant of any Magistrate, and for the remuneration of persons apprehending and prosecuting to conviction Persons guilty of Murder or Capital Felony, or for granting a Sum now by law authorized to the personal representatives of any person who may happen to be killed in the pursuit of or endeavour to apprehend any felon, or for the compensation of Officers for the fees of prisoners discharged without payment thereof, or for the payment of Baronial Constables, or for the procuring any copy of the Statutes of the Realm.

77-
Compensation
for malicious
Injuries.
9W.3.c.9.a.2.

And be it Enacted, That in all cases of Robbery, Burglary and malicious burning of any house, out-house, haggard or other building, or of corn, turf or other property, or of maliciously houghing, cutting, maiming or injury of any cattle, any Person injured by such Offence shall leave Notice thereof in writing with the High Constable of the barony or with the Churchwardens of the parish, or at some adjacent police station or barracks, wherein the offence shall be committed, *Eight* Days at least before the next Special Sessions to be holden under this Act for the consideration of Applications for Presentments, and shall and may at such Special Sessions exhibit and deliver to the Justices and Cess Payers thereof assembled, a Petition, praying that satisfaction for the loss and damage occasioned by such offence may be levied off the county wherein such offence shall be committed, and stating the time and place when and where such injury was done, the particular property injured or lost, and the amount of the damages thereby sustained, and by what number of persons, and whom, by name and description, such injury was done, if such Petitioner shall know such offender or offenders, and if not, then stating such particular descriptions of each such offender as such Petitioner may know; and the said matter shall thereupon be examined by such Justices, on the oath of the party so petitioning, and such other evidence as can be produced touching the facts stated in such Petition; and if such Petition shall be approved at such Sessions, but not otherwise, the Grand Jury, at the next Assizes or presenting Term, shall thereupon and are hereby required, on consideration of the said matter, to present to be raised off the county, or any barony or half barony thereof, such sum of Money as in their judgment the party so petitioning ought to receive by way of compensation for such lossury or damage.

78.
9 W. 3. c. 9.
a. 3.
Presentments
for Compensation
may be
reversed.

Provided always, and be it Enacted, That if any Person paying County cess, shall object to any such Presentment for Compensation in case of murder, maiming, dismembering or the other offences hereinbefore mentioned, and that the Sum presented to be so raised shall exceed the sum of *Five Pounds*, such person may, at the same Assizes

or Term, traverse such Presentment; and such Traverse shall be tried, and Costs thereon awarded, as in the case of other Traverses to be made under this Act.

5 Provided, and be it Enacted, That if any Property for which any person shall have received satisfaction by such Presentment as aforesaid shall be afterwards discovered or obtained, the Treasurer for the time being of the county from which such satisfaction has been received may have and recover such Property, and the same is hereby declared and enacted to belong unto and to be vested in him for the
10 use of such county; and such Treasurer may maintain in his own name any Action, and pursue any remedy or proceeding for the recovery of such property, or of damages for the same, which the person robbed might have had or maintained before such satisfaction received by such Presentment; and such Property, when recovered,
15 shall be sold or disposed of by such Treasurer, and the Money arising from such sale, after deducting the charges for the recovery thereof, shall be applied by such Treasurer to the use of the county, barony or half barony by which such satisfaction shall have been made.

79.
9 W. 3 c. 9.
s. 6.
If Property be recovered, Treasurer entitled to it for the benefit of the County.

20 Provided always, and be it Enacted, That no Action or Suit against the county, townland, barony or half barony, or any person or persons, shall be brought or prosecuted by the party who may have received such Compensation, for the recovery of any satisfaction or damages for any robbery committed or loss or injury sustained for
25 which remedy may have been given under authority of this Act.

80.
9 W. 3 c. 9.
s. 9.
No Action to be brought where Compensation given by Presentment.

30 Provided always, and be it Enacted, That nothing in this Act contained shall in any manner affect or be deemed or construed to affect any of the provisions contained in four Acts passed in the Parliament of Ireland, in the eleventh, in the fifteenth and sixteenth, the twenty-seventh and the fortieth years of the reign of his late Majesty King GEORGE the Third, intituled respectively, "An Act for punishing such Persons as shall do Injuries and Violence to the Person or Properties of His Majesty's Subjects, with intent to hinder the Exportation of Corn;" "An Act for the more effectually
35 punishing such Persons as shall by Violence obstruct the freedom of Corn Markets and the Corn Trade, or who shall be guilty of other Offences therein mentioned, and for making Satisfaction to the Parties injured;" "An Act to prevent tumultuous Risings and Assemblies, and for the more effectual Punishment of Persons guilty of Outrage, Riot and illegal Combination, and of administering and taking unlawful Oaths;" and "An Act to revise, amend, continue or make perpetual certain temporary Statutes."

81.
Proviso.
11 Geo. 3 c. 7.

15 & 16 G. 3.

27 Geo. 3.

40 G. 3 c. 96.

82.
Applications
relating to
Salaries and
Contingencies
to be lodged
with the Se-
cretary.

And be it Enacted, That all Applications for Fees, Poundages or other Contingencies or Payments whatsoever, save and except fixed annual Salaries, for which Grand Juries now are or hereafter may be authorized by law to make Presentments, shall, with a full detail of the particulars and amount thereof, be lodged with the Secretary of each Grand Jury Six clear Days at the least previous to the day to be appointed under the provisions of this Act for impanelling such Grand Jury; and such Secretary shall insert in writing an Abstract of such Applications at the foot of the proper Schedule which he is required to deliver to the Foreman of the Grand Jury, and also at the foot of the Copy which he is required to keep in his office for the inspection of the Public: Provided always, That such Presentments for Fees, Poundage or other Contingencies or Payments, the particulars and amount whereof cannot be ascertained so as to allow of their being specified when the Application therefor shall be lodged with the said Secretary at the time aforesaid, may be made by the Grand Jury, although such particulars and amount shall not have been so specified.

83.
Certificates of
Coroners to
be laid before
Grand Jury.

Provided always, and be it Enacted, That it shall not be lawful for any Grand Jury to make any Presentment for the remuneration of any Coroner, unless Application therefor shall have been made at the proper Special Sessions to be held under this Act and approved thereat, and that together with such Application there be laid before such Special Sessions a Certificate of each such Inquest respectively taken by such Coroner, made and signed by such Coroner in the form following :

" I, A. B. a Coroner in the county, [county of a city or county of a town] of Do hereby Certify,
That on the day of I held an
Inquest on the body of C. D. at in this
county [or, county of a city or county of a town]; and that
the names of the Jurors impanelled on such Inquest, were
as follows ;

And that the names of the
Witnesses examined before such Jurors were as follows ;

And that the Verdict of such
Jury was

All which I certify. Dated this
day of

A. B.
Coroner of this county [county of a city or
county of a town] of

And

And be it Enacted, That it shall be lawful for the Special Sessions and Grand Jury, in case they shall so think fit, to examine any such Coroner upon Oath, as to the truth of any such Certificate.

84.
Grand Jury may examine Coroner on Oath.

And be it Enacted, That it shall and may be lawful for any Coroner before whom any Physician, Surgeon, Apothecary, Chemist or other person practising Medicine or Surgery shall, in obedience to a summons from such Coroner, attend and be examined as a Witness at any Inquest relative to the death of any person, to grant such Witness an order, signed by such Coroner upon the Treasurer of the County, wherein such Inquest shall be held, for such sum, not exceeding *Five Pounds*, as to such Coroner shall seem fit, which sum shall be paid by such Treasurer according to such order; and the amount of all such payments shall be presented by the Grand Jury, to be raised off the county at large, or any portion thereof, in like manner as the Inquest whereat such party may have attended: Provided always, That the Coroner shall certify to the Special Sessions the amount and particulars of all sums so by him ordered to be paid, and that the Justices thereof shall sanction such payment, but not otherwise.

85.
10 Geo. 4. c. 37. s. 2. Medical Witnesses examined on Inquests.

And be it Enacted, That if any person shall be sued, molested or troubled for putting into execution any of the powers contained in this Act, or for doing any act, matter or thing pursuant thereto, such person shall and may plead the General Issue, and give the special matter in evidence, and may avow the taking any distress on the acting Treasurer and Justice's Warrant merely, without going into other title or authority; and if the plaintiff or plaintiffs shall be non-suited, and judgment giving against him her or them, upon demurrer or otherwise, or a verdict pass for the defendant or defendants, or a dismissal upon a Civil Bill, such defendant or defendants shall have his her or their Treble Costs, to be recovered by such method and manner whereby law costs are given to defendants; and that the solemn Affirmation or Declaration of a Quaker, shall be adjudged and taken to be of the same force and effect, to all intents and purposes, in any case where by this Act an oath is required to be taken, as if such Quaker had taken an oath in the form prescribed, or in the usual forms.

86.
36 Geo. 3. c. 55. s. 20. General Issue may be pleaded.

46 Geo. 2. c. 96. s. 5.

And be it Enacted, That when any distress shall be made for any sum or sums of Money to be levied by virtue of this Act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a Trespasser or Trespassers on account of any default or want of form in any proceedings relating thereto, nor shall the party or parties distraining be deemed a Trespasser or Trespassers, ab initio, on account of any subsequent irregularity on the

87.
36 Geo. 3. c. 55. s. 94. Party distraining not to be a Trespasser in consequence of irregularity.

part of the party or parties distraining; but the person or persons aggrieved by such irregularity, may recover full satisfaction for the special damages in any action on the case.

88.
36 Geo. 3.
c. 55. s. 96.
Penalty on
Justices taking
Money for
Affidavits.

And be it Enacted, That if any Justice of the Peace, or any other Person shall demand or take any sum of Money or any reward for swearing any Affidavits to be made by virtue of this Act, every such Justice of the Peace, or any other Person so offending, shall forfeit and pay for every such offence the sum of _____ to the prosecutor or informer, to be recovered by any person who shall sue for the same by Civil Bill.

89.
36 Geo. 3.
c. 55. s. 97.
Penalty for
assaulting or
resisting Per-
sons acting
under this Act.

And be it Enacted, That in case any person or persons shall resist or make forcible opposition to any person or persons employed in the execution of this Act, or shall assault any Surveyor or Deputy Surveyor, Collector, Supervisor, Overseer, Contractor, or Peace Officer, in the execution of this or any other Act, for the making or repairing of High Roads, or shall make or attempt to make any rescue of goods distrained or seized by virtue of this or any other such Act, or if any Constable or Sub-Constable shall refuse or neglect to execute any warrant granted by any Justice of the Peace pursuant to any power by this Act created, every such person offending therein, and being convicted thereof before any Justice of the Peace, by the oath of one credible Witness, shall for every such offence forfeit any sum not exceeding *Ten Pounds* nor less than *Forty Shillings*, at the discretion of such Justice; and in case the same shall not be paid, such Justice is hereby empowered and required to commit such offender to any Gaol, Bridewell or House of Correction, for any time not exceeding *Three months*, or until the said forfeiture shall be paid.

90.
36 Geo. 3.
c. 55. s. 91.
45 Geo. 3.
c. 96. s. 5.
59 Geo. 3.
c. 84. s. 29, 30.
Perjury.

And be it Enacted, That if any person shall wilfully swear falsely in any Oath or Affirmation made or taken by authority or under any of the provisions of this Act, every such person being thereof convicted shall be adjudged guilty of wilful and corrupt Perjury, and incur the pains and penalties in such case by law provided; and it shall and may be lawful for any Grand Jury, without any previous application to Special Sessions, to make such Presentments for defraying the prosecution of such delinquent, as to them may seem fitting and expedient.

91.
Money to be
considered
present Cur-
rency.
Schedules
part of the
Act.

And be it Enacted, That the several sums of Money in this Act mentioned shall be deemed to be the present lawful money of Great Britain and Ireland, and that the Schedules annexed to this Act shall be deemed and taken to be part thereof, and that the Forms therein contained, and none other, shall be made use of in all

cases to which such Forms shall be applicable: Provided always, That it shall and may be lawful to erase or alter any words in such Forms so as to make them applicable to any particular case, without materially altering the substance, but no further.

5 AND whereas inconveniences may arise from changes in the office of Treasurer for Counties in Ireland, arising from death, removal, disqualification and otherwise, and doubts have arisen as to the powers of persons succeeding to such office; FOR Remedy whereof, Be it Enacted and Declared, That the Treasurer now or for the
10 time being of any county in Ireland, has and shall be deemed to have and shall have power and authority to do all such acts, matters and things in anywise relating or appertaining to the office of Treasurer in the same county, as ought to have been done by his predecessor in such office, and which may be or have been by him left
15 undone or in part done; and that any such Treasurer now or for the time being shall and ought to issue his warrants for the levying and collecting any Monies, the Presentments for which may be or have been delivered to his predecessor; and that such warrants and all
20 other acts, matters and things done by any Treasurer of a county now or for the time being, and which may be requisite or necessary in or towards the raising, collecting, levying, receiving and accounting for any Monies duly presented to be raised off such county at large, or any division or sub-division thereof, shall and the same are
25 hereby declared to be good, valid, obligatory and effectual, to all intents and purposes, although the duty to issue such warrants, or to do such acts, matters or things, may in the first instance have attached upon the last previous Treasurer of such county.

Provided always, and 'be it Enacted, That nothing hereio contained shall extend to make any Treasurer for a county now or for
30 the time being in any respect liable for any default or malfeasance permitted or committed by his predecessor in office.

AND whereas it may be in some cases convenient to dispose with the appointment of Treasurers of Counties in Ireland, BE it therefore Enacted, That if at any time after the *passing of this Act*
35 whenever the office of Treasurer of any County shall be and become vacant by death, resignation or otherwise, it shall and may be lawful for the Magistrates qualified and assembled at such Meeting as by an Act passed in the fourth year of the reign of King GEORGE the Fourth, intituled, "An Act to make more effectual Regulations
40 for the Election, and to secure the performance of the duties of County Treasurers in Ireland," in such case directed to be holden, to determine against proceeding to the election of any person to the said office, and in lieu thereof to adopt such proceedings as herein-

42.

I.

after

92.
Treasurer for the time being to have power to do all such things as ought to have been done by his Predecessor.

93.
Provided. That no Treasurer be deemed liable for acts of his Predecessor.

94.
Magistrates assembled under 4 Geo. 4. c. for election of a Treasurer may determine against proceeding thereto, and abolish the office of Treasurer.

after mentioned; and by virtue and force of such determination, the election of any person to the said office of Treasurer of such County shall and may be dispensed with; any law, statute or usage requiring the appointment of such an Officer to the contrary notwithstanding.

95-
Magistrates to
elect a Com-
mittee of five,
to execute,
with assis-
tance of
Secretary of
Grand Jury,
the office of
Treasurer.

And be it Enacted, That in case of such determination as aforesaid, it shall and may be lawful for the Magistrates, qualified and assembled as aforesaid, to nominate and appoint any number of persons not less than Five to be a Committee for executing the office of Treasurer of such County, such persons being qualified in like manner as the said Magistrates are by law required to be qualified, and who shall, previous to acting as Members of such Committee, make oath of such qualification as such Magistrates are before acting at such meeting required to do; and from and after the appointment of such Committee, all Monies which ought to have been paid to the Treasurer of such County in case such an officer had been elected, shall be paid into the Bank of Ireland, in such manner as the said Committee shall direct; and all Monies which in such case ought to be paid by the said officer shall be paid by an Order in writing under the hands of Three Members of the said Committee, and countersigned by the Secretary of the Grand Jury, addressed to the Governors and Directors of the said Bank of Ireland; and all such Accounts, Vouchers and other matters and things which ought to be prepared, delivered or done in the case aforesaid by the said officer, shall be prepared, delivered or done by the said Secretary, under the direction and control of such Committee, or by some Member of such Committee; and all duties, functions, powers and authorities whatsoever relating to the levying or collecting or accounting for money, or otherwise in any respect appertaining to the said office of Treasurer, shall devolve upon and be executed and exercised by the said Committee, or by the said Secretary under their direction and control as aforesaid, save and except the payment of money as hereinbefore in that behalf specially provided.

96.
Grand Jury
may present
additional
Remuneration
for Secretaries.

And be it Enacted, That in consideration of the additional duties which may be, under the provisions of this Act, imposed upon the Secretaries of Grand Juries, it shall and may be lawful for any Grand Jury to present to be paid to any such Secretary, and to be levied off the county at large, such further sum not exceeding over and above the present remuneration of such Secretary, as such Grand Jury shall think fit.

97.
Three of the
Committee to
be a Quorum.

And be it Enacted, That any Three Members of such Committee shall be competent to do all acts, matters and things which by virtue of this

this Act it may be competent for such Committee to do, provided that such acts, matters and things be done and transacted at a Meeting, of the holding whereof notice shall have been given to all the Members of such Committee.

5 And be it Enacted, That the Governors and Directors of the Bank of Ireland shall open an Account in their Books with any and every Committee appointed under authority of this Act, under the title of "The Committee for executing the Office of Treasurer of the County of [here name the County];" and shall place to the
10 credit of such Account, and their Cashier or Cashiers shall give receipts for all such sums as shall pursuant to this Act, or to any general or special direction of such Committee be paid to them, and shall also pay to the debit of such Account all such sums as shall be expressed in any order, signed and countersigned as aforesaid.

98.
Bank of Ire-
land to open
an account
with each
Committee.

15 And be it further Enacted, That every Half-Barony shall be considered and deemed a Barony within the meaning of this Act; and that wherever the word "County" shall occur in this Act, the same shall be deemed and taken to include and import any county at large, or county of a city or county of a town and city, or city or
20 town and county, unless the contrary thereof shall be expressed, or that such construction shall be inconsistent with or repugnant to the context.

99.
36 Geo. 2.
c. 55 s. 40.
Half-Barony
to be deemed
a Barony.

SCHEDULES

To which the foregoing ACT refers.

SCHEDULE (A. 1.)

FORM of APPLICATION for opening a NEW ROAD.

County of } WE, of
 } and of

Do certify, That in our opinion it would be useful to open a New Line of Road from _____ to _____ between _____ and _____ in the Baronies of _____ in this County, according to the Survey and Map, Sections and Estimates lodged by us, and that Presentment for such purpose may be made under and by virtue of the _____ section of the _____ chapter of [here set out the Reign] being an Act for [here set out the Title of the Act]; and we further certify, that a Notice in writing, setting forth, that Application was intended to be made for a Presentment to lay out this New Line of Road, distinguishing the number of perches that such intended Road is to be made in length through each Townland, has been personally served upon or left at the house of each Occupier of the land through which such Road is intended to be made; and that a like Notice has been posted on or immediately close to the door of the County Court-House, on the same day that the said Map was deposited with the Secretary of the Grand Jury; and that the Estimates contain the Total Expense which we consider as necessary for finishing completely this New intended Line of Road, including the laying out, forming, fencing, draining, levelling, stoning and gravelling the same, building Bridges, Gulleys or Support-walls, lowering Hills or filling Hollows, so as to bring every part of it to the ascent or descent proposed by the Plans and Sections hereinbefore mentioned; and that the Estimate distinguishes separately the Expense of the New intended Line of Road which will be incurred in each Barony or Half Barony, from the Expenses which will be incurred by the County at large in executing the same; and that the Specifications contain the Distance of the nearest Quarries fit for each part of the Work, the lowest Price of Lime, and the general Prices of Labourers, Masons, Carts, Drays and Cars, by the day, in the neighbourhood of such New intended Line of Road; and that the Map or Plan of the proposed Road is on a Scale of Ten Perches to an Inch, and includes the present Road (if any) in place of which the intended Road is proposed to be made; and that such Map, Plan or Section show correctly the inclination of the surface of the intended Road throughout the whole length of each, and state in feet and inches the difference between each in their degrees of inclination, and in the highest of each above
their

their base, and also particularize each Hill proposed to be lowered, and Hollow proposed to be filled, and the height or depth in feet and inches of the ascent or descent proposed to be altered on each such Hill or Hollow; also that all Roads, Rivers or Streams which such New intended Road is to cross, are marked and specified in their proper places in each Map, with separate Plans, Estimates, Measurements and Specifications of the Plans and Elevations of every Bridge, containing distinct details, and the true Prices of all stone-cutter's and mason work of such Bridges, Gulleys, Pipes or Walls which are proposed to be built on the Line of such New intended Road, and all other Expenses which will be incurred in the execution of such Road, to the best of our skill, knowledge and belief; and we propose that the same shall be defrayed by the County at large [or Barony or Half Barony of]

(signed)

A. B.

C. D.

FORM of APPLICATION for PAYMENT by a CONTRACTOR for forming, levelling and draining a NEW ROAD.

County of } WHEREAS the Sum of
 } was by virtue of the section of the chapter
 of [here set out the Reign] being an Act for [here set out the Title of the
 Act] presented at Assizes, in the year
 to be expended in perches of the New
 intended Road from to
 between and
 all in the Barony or Half Barony of in this
 County; which Road is to be feet wide in the clear of
 all ditches, banks and drains: And whereas I contracted for the Work
 aforesaid at the rate of
 Now this is to certify, That I have faithfully and honestly formed,
 levelled and drained perches of the said Road, in
 conformity to the said Presentment; and that every part of the said
 perches is feet in the clear between the ditches,
 banks, drains or fences, and is of a proper level throughout the whole
 of the said width, with a regular fall from the centre of said Road to
 the sides, and the whole done according to and in conformity with the
 Presentment made by the Grand Jury; and that there is not adjoining
 to either side of the Road so formed, levelled and drained, any Grip
 without a bank or a wall or other sufficient fence between it and the
 side of the Road, and that the annexed Account is true in every part,
 and contains the whole of the Expenditure by me incurred in and about
 the said Work, with the several Items thereof, and that every part of the
 said Work was finished on the day of

SPECIFICATION OF ACCOUNT; viz.

FORM of APPLICATION for PAYMENT by a CONTRACTOR for finishing and completing a New Road with Stones and Gravel.

County of } WHEREAS the Sum of
 } was, by virtue of the section of the chapter
 of [here set out the Reign], being an Act for [here set out the Title of
 the Act], presented at Assizes, in the year
 to be expended in soleing with Stones
 and other Materials, and in finishing with small Stones and Gravel
 perches of the New intended Road from
 to between and
 all in the Barony of in this County; which Road
 is feet wide in the clear of all ditches, banks or
 fences, and which has been finished feet wide at the
 least, with Stones and Gravel: And whereas I contracted for the Work
 aforesaid at the rate of

Now I, Do certify, That
 I have faithfully and honestly finished the said Road with Stones and
 Gravel in conformity to the Presentment, with the quantity of Stones
 and Gravel at the least therein specified, and that every part of the
 said perches is feet wide in the
 clear between the banks, drains or fences, and is safe and level
 throughout the whole of said width, and free from obstruction, and that
 feet at the least of said width is made with Gravel and
 small Stones, and is safe and level throughout the whole of said width
 for carriages to pass and repass on, with a regular fall from the centre
 to the sides; and that the back of every ditch or fence thereto, to which
 there is a Grip, is turned to the Road, and the Grip to the field side; and
 that the annexed Account is true in every part, and contains an
 Account of the Quantity and Quality of Materials laid on the Road,
 and the whole of the Expenditure by me incurred in and about the said
 Work, with the Items thereof, and that every part of said Work was
 finished on the day of

SPECIFICATION of ACCOUNT; viz.

FORM of APPLICATION by CONTRACTOR for PAYMENT for making FENCES to NEW ROADS.

County of } WHEREAS the Sum of
 } was, by virtue of the section of the chapter
 of [here set out the Reign], being an Act for [here set out the Title of
 the Act], presented at Assizes, in the year
 to be expended in making
 perches of Fences, on each side of the Road, from
 to between
 and all in the Barony or Half Barony of
 in this County, being at the rate of by the perch;
 Now I, Do certify, That I have faithfully and honestly
 expended

expended the Sum of _____ in the execution of and in conformity to the said Presentment, and that the whole of the _____ perches of Fences aforesaid are well and effectually made pursuant thereto, " and that the bank side thereof is turned to the Road, and the Grip to the field side;" and that the said Work was finished on the day of _____ and the annexed is a true Account of the whole of the Expenditure by me incurred in and about the said Work with the several Items thereof.

N. B.—Where there is no Grip Work, in inverted commas to be omitted.

SCHEDULE (B.)

FORM of APPLICATION for the REPAIRS of ROADS.

County of _____ } WE, _____ of _____
 } and _____ of _____
 Do certify, That we have lately viewed and measured _____ perches of the Road from _____ to _____ between _____ and _____ and that _____ of the said perches are in the Townland of _____ and that _____ perches thereof are in the Townlands of _____ all in the Barony of _____ in this County; and that the same are in need of repair, and it will require the Sum of _____ to repair the said _____ perches, so as that the Road shall be _____ feet wide in the clear of the ditches, banks, drains or fences, and _____ feet wide in the part which is repaired with _____ barrels of Gravel or small Stones, being at the average rate of _____ by the perch, according to the Specification annexed, which we verily believe is the least the said _____ perches can be effectually repaired for; and that the Specification contains a Description of the Kind of Materials, and the Quantity of the same which is proposed to be used in repairing the Road, whether Stones or Gravel, and the general Price of Labourers and Quarry-men, and of Carts, Drays and Cars, by the day, in the neighbourhood, and the Situation of the Quarries or Gravel-pits most convenient to the Work proposed to be executed; and we propose that the Expense of the aforesaid repairs shall be defrayed by the County at large [or, Barony or Half Barony of _____], and that Presentment for such purpose may be made under and by virtue of the _____ section of the _____ chapter of [here set out the Reign], being an Act for [here set out the Title of the Act]

(signed) . A. B.
 C. D.

SPECIFICATION.